THE ART OF GOVERNING CONDUCT

Liberalism and the Paradox of Regulated Freedom

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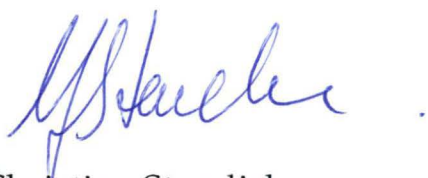

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ABSTRACT

This project draws on Michel Foucault's work on "governmentality," as well as his scattered texts on liberalism, to explore a central liberal concern: the "freedom-regulation" problematic. Foucault took liberalism to be an art of government that promises prosperity and well being for the whole through liberty of the individual. From this perspective there is a problem in determining just what is free, what has to be free and what needs to be regulated. The two central poles of the liberal freedom-regulation problem are located in the principle of economic liberty – achieving the objective of unregulated economic activity; and the rule of law – which is necessary to ensure order, predictability and certainty. It is this relation that yields the paradox this thesis sets out to investigate. For on the one hand it is central to liberalism that individuals be as free as possible to pursue their own interests in the economic sphere. Indeed the prosperity and well being of society depends upon it. On the other hand, it is less clear what degree of freedom should be extended to the private realm of morality and personal conduct.

The thesis will show that the development of liberal political economic systems presented a challenge to the inventive capacities of moral philosophers and political economists who sought to devise ever new technologies of government which could control and restrict behaviour whilst continuing to embrace the spirit of "natural" individual liberty. Given that liberalism was concerned with discovering the best way to govern, in line with its central principles of individual economic liberty and the rule of law, the most effective form of regulation was seen as self-regulation, or self-discipline. However, as I will demonstrate an analysis of liberal thought, from the late seventeenth century until the present day, reveals that despite their rhetoric major thinkers within the Anglo-Scottish tradition considered the principle of self-regulation to be an impossible ideal that could not be widely deployed in the general community. Basically, they see it as an untrustworthy governmental technique as only an elite few are possessed with the strength of character to render them capable of such ethical practice. In general there is recognition that for the majority of the population behaviour and conduct needs to be overtly controlled through governmental techniques of regulation and order. Hence the importance of investigating the paradox of regulated freedom that continues to be deeply embedded in the fabric of liberalism.

Acknowledgments

I suppose it would be a cliché to say that completing a doctorate constitutes a major piece of work on the self. But say it I will! While it has, largely been a solitary undertaking there are acknowledgements to make and people to thank. First, I would like to express my appreciation to my Supervisor, Dr. David Martin Jones for helping me see the project to completion. While we did not always agree the conversations were interesting and stimulating and his advice was invaluable. Indeed, without his guidance the dimensions of the project would have been very different. I would also like to thank my Associate Supervisor, Dr. Phillip Barker, whose advice and supportive emails helped me through some dark moments of doubt. I am grateful to the School of Government for its support over the last few years and I would like to acknowledge the financial assistance I received through an Australian Post-graduate Award Scholarship. Dr. Terry Narramore has offered unqualified support over the years and for that and for his companionship I am especially grateful. Special mentions too to my girls, Louise, Laura and Amy. Finally, to paraphrase Spike Milligan, I would like to thank myself for without me this project would not have been possible!

CONTENTS

What an enormous price man had to pay for reason, seriousness, control over his emotions - those grand human prerogatives and cultural showpieces! How much blood and horror lies behind all 'good things'!

Friedrich Nietzsche

INTRODUCTION

If one outstanding contribution should be singled out in Foucault's research, on which further research can be continued, this is constituted by a new understanding of the formation of the modern disciplined man.
Alessandro Pizzorno

Since the mid 1980s there has emerged a large and impressive body of work that has engaged in various ways with Michel Foucault's notion of "governmentality." This has sought to "diagnose the forms of political rationality which govern our present" and explore "the inventiveness of liberal and neo-liberal forms of government."[1] Indeed, the proliferation of studies in this field

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[1] Andrew Barry, Thomas Osborne and Nikolas Rose, "Liberalism, Neo Liberalism and governmentality: introduction," ***Economy and Society*** 22 (No. 3 1993): 265. See for instance the studies in governmentality contained in Graham Burchell, Colin Gordon & Peter Miller (eds.) ***The Foucault Effect: Studies in Governmentality with two lectures by and an Interview with Michel Foucault*** (Chicago: University of Chicago Press, 1991); Jacques Donzelot, ***The Policing of Families*** (New York: Pantheon, 1979); Andrew Barry, Thomas Osborne & Nickolas Rose (eds), ***Foucault and Political Reason: Liberalism, neo-liberalism and rationalities of government*** (London: UCL Press, 1996); James Tully, "Governing Conduct" ed. E. Leites, *Conscience and Casuistry in Early Modern Europe* (Cambridge: Cambridge University Press, 1988) p. 12-71; Nikolas Rose, ***Governing the Soul: the shaping of the private self*** (London: Routledge, 1990); Rose, ***Inventing Our Selves: Power and Personhood*** (Cambridge: University Press, 1996); Rose, ***Powers of Liberty*** (Cambridge: Cambridge University Press, 1999); Ian Hunter, ***Culture and Government*** (London: Macmillan, 1988); Hunter, ***Rethinking the School: Subjectivity, Bureaucracy, Criticism*** (Sydney: Allen & Unwin, 1994); Jeffrey Minson, ***Genealogies of Morals: Nietzsche, Foucault, Donzelot and the Eccentricity of Ethics*** (London: Macmillan, 1985); Minson, ***Questions of Conduct: Sexual Harassment, Citizenship and Government*** (London: Macmillan, 1993); Mitchell Dean, ***The Constitution of Poverty: Toward a Genealogy of Liberal Governance*** (London: Routledge, 1991); Barry Hindess, ***Discourses of Power: From Hobbes to Foucault*** (Oxford: Blackwell, 1996); Dean & Hindess, ***Governing Australia: Studies in Contemporary Rationalities of Government*** (Melbourne: Cambridge University Press, 1998); Duncan Ivison, ***The Self at Liberty: Political Argument and the Arts of Government*** (Ithaca & London: Cornell University Press, 1997); Barbara Cruikshank, ***The Will to Empower: Democratic Citizens and other Subjects*** (Ithaca NY: Cornell University Press, 1999); M. Valverde, ***Diseases of the Will: Alcohol and the Dilemmas of Freedom*** (Melbourne: Cambridge University Press, 1998). There are also many articles devoted to the study of *governmentality*. See for instance, the special edition of ***Economy and Society*** 22(No. 3 1993) containing: Rose, "government, authority and expertise in advanced liberalism," p 282-299; Hindess, "Liberalism, socialism and democracy: variations on a governmental theme," p 300-313; G. Burchell, "Liberal government and techniques of the self," p. 267-282; Vicki Bell, "Governing Childhood: Neo Liberalism and the Law," p. 390-405; and Barbara Cruikshank, "Revolutions Within; self-government and self esteem," p. 327-344. See also Mitchell Dean, "A genealogy of the government of poverty," ***Economy and Society*** 21(No. 3 1992): 215-251; Dean, " 'A social structure of many souls': Moral regulation, government and self formation," ***Canadian Journal of Sociology*** 19(No. 2 1994): 145-

has, claims Mitchell Dean, constituted a "new sub-discipline across the human sciences: one that is problem centred and present-oriented."[2]

This project analogously seeks to explore what Foucault identifies as a central liberal concern: the "freedom-regulation" problematic.[3] That is, the problem liberalism faces in determining, within an art of government, which promises prosperity and well being for the whole through liberty of the individual, just what is free, what has to be free and what needs to be regulated. The two central poles of the freedom-regulation problem are constituted by the liberal concern with individual economic liberty, in the sense of achieving the objective of unregulated economic activity; and the rule of law, which is necessary to ensure order, predictability and certainty. It is this relation that yields the paradox this thesis sets out to investigate.

On the one hand it is central to liberalism that individuals be as free as possible to pursue their own interests in the economic sphere. Indeed the prosperity and well being of society depend upon it. Yet, it is less clear what degree of freedom

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168; Dean, "Governing the unemployed self in an active society," ***Economy and Society*** 24(No. 4 1995): 559-583; David Burchell, "The Attributes of Citizens: virtue, manners and the activity of citizenship," ***Economy and Society*** 24(No. 4 1995) :540-558; Miller & Rose, "Governing Economic Life," ***Economy and Society*** 19(No. 1 1990): 1-31; Robert van Krieken, "Proto-governmentalisation and the historical formation of organizational subjectivity," ***Economy and Society*** 25(No. 2 1996): 195-221; James Marshall, "Michel Foucault: Governmentality and Liberal Education," ***Studies in Philosophy and Education*** 14 (1,1995): 23-34; Mark Bevir, "Foucault and Critique: Deploying Agency against Autonomy," ***Political Theory*** 27(1, 1999): 65-84; Kevin Stenson, "Beyond histories of the present," ***Economy and Society*** 27 (1998): 333-353; O'Malley, Weir & Shearing, "Governmentality, criticism, politics," ***Economy and Society*** 26 (4, 1997): 501-517; B. Hindess, "Politics and governmentality," ***Economy and Society*** 26 (2, 1997): 257-272; Derek Kerr, "Beheading the king and enthroning the market: a critique of Foucauldian governmentality," ***Science and Society*** (1999): 173-6.

[2] Mitchell Dean, ***Governmentality: Power and Rule in Modern Society*** (London: Sage Publications, 1999)p. 3. Unfortunately, I had already undertaken the vast bulk of the work on governmentality well before Mitchell Dean's important book on the subject was published.

[3] A clear reference to this "problematic" is found in Foucault, "Problematics," in Sylvere Lotringer (ed), ***Foucault Live: Collected Interviews, 1961-1984.***Trans. Lysa Hochroth & John Johnston (New York: Semiotext(e), 1996) especially p. 420.

should be extended to the private realm of morality and personal conduct. This thesis will show that the development of liberal political economic systems presented a challenge to the inventive capacities of moral philosophers and political economists, particularly in the eighteenth century, to devise ever new technologies of government which could control and restrict behaviour whilst continuing to embrace the spirit of "natural" individual liberty. Given that liberalism was concerned with discovering the best way to govern, in line with its central principles of individual economic liberty and the rule of law, the most effective form of regulation was seen as self-regulation, or self-discipline. However, as we shall demonstrate, an analysis of liberal thought, from the late seventeenth century until the present day, reveals that despite their rhetoric most thinkers considered the principle of self-regulation to be an impossible ideal that could not be widely deployed in the general community. Basically, they have seen it as an untrustworthy governmental technique as only an elite few are possessed with the strength of character to render them capable of such ethical practice. In general there is recognition that for the majority of the population behaviour and conduct needs to be overtly controlled through governmental techniques of regulation and order. Hence the importance of investigating the paradox of regulated freedom that continues to be deeply embedded in the fabric of liberalism.

The dissertation takes up the paradox of regulated freedom in order to assess what implications it has for governing the conduct of the self and of others. In this respect it links into Foucault's interest in an "ontology of ourselves,"[4] which

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[4] See Foucault, "Kant on Enlightenment and Revolution," trans. Colin Gordon, ***Economy and Society*** 13(1,1986): 96. I take this statement to refer not only to Kant's critical project but also to Heidegger's ontological interrogation of the question of "Being," that is what it means to be-in-the-world. For Heidegger "dwelling" or "Being-in-the-world" is the ultimate presupposition of

addressed "...a history of the different modes by which, in our culture, human beings are made subjects."[5] This project led him to conduct a genealogy of the modern (Western) individual. As part of this genealogy he sketched a history of the different ways human beings are composed and their conduct modified and ordered through certain technologies of self. In this sense *governmentality* was crucial to Foucault's analysis of human conduct because in his view it was constituted by the relationship between technologies of power and those of the self.[6]

The question concerning the technologies of self is one that Foucault identifies as appearing at the end of the eighteenth century to become one of the major poles of modern philosophical and political thought. Deriving, in his view, from Kant's question "What are we today?" it constituted a different tradition to

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knowledge thereby placing ontology prior to epistemology. Hence it is a question that must be investigated prior to any other question which Western philosophy has sought to ask. See M. Heidegger, ***Being and Time***, Trans. John Macquarrie & Edward Robinson (Oxford: Blackwell, 1962). By referring to an "ontology of ourselves," Foucault is signalling a need for critical thought to conduct a fundamental and concrete analysis of the question of subjectivity, which has had the status of a given presupposed instance of inquiry in Western philosophy and political thought. On this see Foucault, "Introduction," in Georges Canguilhem, ***The Normal and the Pathological***, trans. Carolyn R. Fawcett in collaboration with Robert Cohen (New York: Zone Books, 1991) p. 23.

[5] Foucault, "The Subject and Power," in Dreyfus and Rabinow, ***Michel Foucault: Beyond Structuralism and Hermeneutics***. 2nd Ed. (Chicago: University of Chicago Press, 1983) p.208

[6] Foucault, "Technologies of the Self," in L. H. Martin, H. Gutman & P. H. Hutton, ***Technologies of the Self: A Seminar with Michel Foucault*** (London: Tavistock Publications, 1988) p. 18-19. See Foucault, "Space, Knowledge and Power," in ***Foucault Live***, p.347 where he utilises the Greek notion of techné to emphasise how the practice of government can be considered as a function of technology, particularly with regard to techniques for governing the conduct of the self and of others. The specific way that Foucault employs the concept of technology to imply a productive quality to the active work on the self that aims to produce certain kinds of individuals and certain kinds of conduct, owes much to Heidegger. Indeed the concept of techné is etymologically linked to the idea of "art," a connection that Heidegger elucidated through his evocative notion of "bringing forth." See Heidegger, "The Question Concerning Technology" in D. Farrell Krell (ed) ***Martin Heidegger: Basic Writings*** (London: Routledge, 1993) p. 17-319) as well as "The Age of the World Picture," ***The Question Concerning Technology and Other Essays***, Trans William Lovitt (New York & London: Garland Publishing, 1977) pp. 115-154. See also ***The History of Sexuality***, Vol. I (London: Penguin, 1981) in which Foucault seeks to reformulate power in the productive terms of technology, tactics and strategy rather than in juridical and negative terms of justice where power is represented as repressive.

that set of problems concerned with an ontology or analytic of truth.[7] It is a question that emerges alongside a series of other questions concerned with how specific problems of life, population and conduct were to be posed and addressed within a technology of government which was, from the end of the eighteenth century, constantly haunted by the concern central to liberalism of "too much government."[8]

That Foucault situates this question within the field of historical reflection on ourselves, with which Kant, Hegel, Nietzsche, Weber, Husserl, Heidegger and the Frankfurt School were all concerned, and, indeed, locates himself firmly within this tradition of critical thought,[9] is a telling point which I wish to examine. For, somewhat problematically, it has led him generally to equate the liberal subject or individual with a post-Kantian (deontological) notion of self. That is as an "unencumbered" rational, free thinking, autonomous being who has a presupposed durable identity that exists prior to and independent of society, is constant in time and possesses a free will, the faculty to reason without the aid of collective thought and the capacity to makes its own decisions.

Both Nietzsche and Foucault identify this figure as the paradigmatic modern liberal subject who, while rational and productive is simultaneously juridical and calculable. In other words, they delineate a being who is constituted on the

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[7] Foucault, "The Political Technologies of Individuals," in Martin et al, *Technologies of the Self*, p.145.
[8] Foucault, "The Birth of Biopolitics," in *The Essential Works 1954-1984.* Vol. 1. *Ethics, Subjectivity and Truth,* Paul Rabinow (ed), (New York: New Press, 1997) p. 77.
[9] Foucault, "The Political Technologies of Individuals," p.145.

one hand as a free thinking sovereign individual, who bears rights and is protected by law, and on the other is a calculable individual whose behaviour becomes the object of the explanatory social sciences and administrative practices. In so doing both seek to "deconstruct" this subject, showing that it is not a natural given but the result of an enormous amount of labour that man has performed on himself.[10] They show that individuals are the effect of relations of power and that identity is a historically contingent construction that is required to make sense of the plethora of acts and events that make up human life, thereby serving to domesticate experience and sublimate fear. In other words, the tendency to posit a universal, unified, autonomous subject flows from a "psychological" inclination or desire to stabilise experience in the face of uncertainty and an unwillingness to confront finitude.[11]

A corollary of this is that practices of liberalism, the self-discipline or self-command of the free man, cannot be seen as inherently liberating or emancipatory. In fact, Foucault thought them "dangerous" because, in seeking to render the type of individual who deserves the status of freedom and who is a worthy member of liberal democratic society, they also serve to prepare a fertile soil upon which ever more normalising practices of self can flourish. In other words, both Foucault and Nietzsche show that the (Kantian) "liberal individual" is not produced without a significant cost: that cost being in terms of the normalisation that is required to make it sufficiently calculable and predictable to be what Nietzsche calls a creature with a conscience, one capable of making promises and being held accountable for its conduct.

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[10] Friedrich Nietzsche, ***On the Genealogy of Morality***, Ed. Keith Ansell-Pearson (Cambridge: Cambridge University Press, 1994) p. 39.

[11] See for instance, Nietzsche, ***The Will to Power***, Edited with commentary by Walter Kaufman. Trans. Walter Kaufman & R. J. Hollingdale (New York: Vintage Books, 1967) note 480 & 550.

What this thesis seeks to demonstrate, however, is that there are substantial omissions in the story of liberalism as told by Nietzsche and Foucault, which is primarily viewed through a Kantian lens. By broadening the scope of analysis to include the thought of eighteenth century British thinkers a more multi-faceted picture of the liberal self emerges.

Foucault's complex but incomplete genealogy of the modern Western individual focused on three main epochs. It offered an analysis of Pagan and early Christian Ethics, and early modern and largely European morality from Descartes to Kant. It also traced the emergence, from the sixteenth century onwards, of an art of government that was linked at different times with the principles of *raison d'etat* and police,[12] and came to incorporate the techniques of pastoral and bio-power. Importantly, Foucault's later work on *governmentality* displays an increasing interest in liberalism and neo-liberalism. Indeed, he seems to suggest that (neo) liberalism is the predominant political rationality governing contemporary life in Western societies. While this led him to consider the role played by certain British thinkers in this regard, most notably Adam Smith, he offers only a cursory coverage.[13] This is because his work up

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[12] Foucault acknowledges that he emphasises a typically French form of policing and draws attention to the fact that the English did not develop a comparative system of police because of their parliamentary and legal traditions and the differing religious system. See "Space, Knowledge & Power," p. 337.

[13] Much of this work is contained in the untranslated course note tapes, which are located in the Foucault Centre at the Bibliotheque du Saulchoir in Paris, which I had the good fortune to visit in October 1996. The material available in English is largely contained in the course summaries published in the collection edited by Rabinow, ***Ethics and Subjectivity***; two interviews contained in the ***Foucault Live*** collection, detailed above, and the essay, "Governmentality." Useful interpretations of this aspect of Foucault's untranslated work on liberalism have been forthcoming from Colin Gordon and Graham Burchell, ***The Foucault Effect***, as well as many of the other works on governmentality detailed above.

until that point was over-determined by a post-Kantian rather than post-Humean model of the individual.

Of course, Foucault did engage with Benthamite utilitarianism, making use of the idea of the panopticon as a diagram of modern disciplinary power relations. Yet, as Michael Oakeshott has shown, in many respects Bentham's thought was strongly informed by French rationalist thinkers and as such constitutes a substantial departure from the key streams of British liberal empiricist thought with which this thesis is primarily concerned. Indeed, Oakeshott describes Bentham as a "philosophe," that is, '...a native of France rather than England, the companion in thought of Helvetius, Diderot, Voltaire and d'Alembert."[14]

As a result of its predominantly Kantian and Continental emphasis, Foucault's work has seemed to take the Kantian individual as the paradigmatic model of liberal individuality. In so doing he failed to take account of the fact that as an enormously complex body of thought, liberalism is informed by several different conceptions of the individual, each with its own history of emergence. It will, therefore, be useful to distinguish between the British stream, as it developed through Bernard Mandeville, Lord Shaftesbury, Frances Hutcheson, Joseph Butler, David Hume, Adam Smith, Adam Ferguson and ultimately Friedrich Hayek[15] that based identity on the passions and interests; and the

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[14] Michael Oakeshott, "The new Bentham," in ***Rationalism in politics and other essays,*** Foreword by Timothy Fuller (Indianapolis: Liberty Press, 1991) pp. 132-150. A philosophe can be distinguished from a philosopher, says Oakeshott, by the peculiar confidence he exhibits in knowledge and the obsession he has for believing that that which is made is preferable to that which is grown. In short, the philosophe is, in Hayekian terms, a "constructivist rationalist."

[15] Of course, Mandeville and Hayek were not in fact British born but they have had significant impact on the development of Anglo-Scottish thought, and for this reason must be included.

European school that developed two main variants: the "unencumbered" self through Kant and the "communitarian" self through Hegel, T. H. Green, Hobhouse and Bosanquet. The two European schools have received contemporary reformulations, from a universalist perspective, through Rawls, Dworkin and Raz on the one hand; and from a particularist view of community through Taylor, Sandel, Habermas and Walzer, on the other.

Despite their incompleteness, Foucault's *governmentality* texts offer a point of departure from which to analyse liberalism as a political rationality rather than an ideology, political doctrine, economic theory or philosophy of individual freedom. Foucault considered liberalism as a style of thinking concerned with an art of governing which saw the rationality of political government as an activity rather than an institution.[16] He has suggested that it be seen as a "form of critical reflection on governmental practice" whose central question of "too much government" has been either explicitly or implicitly articulated in Europe since the eighteenth century.[17] From Foucault's perspective, liberalism is more an "ethos of government," an ethos that expresses a dissatisfied and recurrent critique of "State reason." According to Foucault we can think of liberalism as a critique of government which is linked to the problem of society and questions concerning the conduct of individuals. Interestingly, Liberalism seeks simultaneously to constitute and legitimise a ground for the state, delineating its relationship to the individual, and to mount a critique of its actions.[18]

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[16] Graham Burchell, "Liberal government and techniques of the self" in Barry, Osborne, Rose (eds) ***Foucault and Political Reason: Liberalism, neo-liberalism and rationalities of government*** (London: UCL Press, 1996) p. 21 makes this point.

[17] Michel Foucault, "Birth of Biopolitics," p. 77.

[18] *Ibid.*pp. 74-75.

Because Foucault has largely conducted his analyses within a Kantian framework, a great deal of the literature that has flowed from his work has fallen into the same trap of treating the contemporary liberal subject as synonymous with the Kantian subject, thereby assuming this to be the paradigmatic model of liberal individuality.[19] In so doing many commentators, critics and interlocutors fail to take account of the fact that the model of the individual which has predominance in the contemporary state of advanced liberalism, has more affinity with the neo-liberal model of the self as a being moved, and partially controlled by, passions and interests, which is historically contingent and governed through habit, custom, education and law, rather than by regulative principles of reason, as in the Kantian model.

In other words, a Foucauldian approach rightly situates the problem of self in the eighteenth century, but wrongly considers it primarily a problem

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[19] See, for example, Alessandro Pizzorno, "Foucault and the Liberal view of the Individual," in T. J. Armstrong (trans.) ***Michel Foucault Philosopher*** (Hemel Hempstead: Harvester Wheatsheaf, 1992) pp204-211; Jon Simons, ***Foucault and the Political*** (London: Routledge, 1995) especially Ch. 5; David Gruber, "Foucault's Critique of the Liberal Individual," ***The Journal of Philosophy***, Vol. LXXXVI (11, 1989) 615-621. See also Andrew Cutrofello, ***Discipline and Critique: Kant, Poststructuralism and the Problem of Resistance*** (New York: State University of New York Press, 1994) who argues that Foucault's entire career centred on a sustained attempt to formulate a non-juridical model for Kantian critique and that in so doing he was led to "think with modernity against modernity." He then goes on to try to construct a Foucauldian ethic that employs "nonjuridical," "genealogically critiqued" Kantian toolS. David Owen, ***Maturity and Modernity: Nietzsche, Weber, Foucault and the ambivalence of reason*** (London: Routledge, 1994) also tends to read Foucault through Kantian eyes. Indeed, one must recall the importance Kant had for Foucault's intellectual development. Not only did he write a thesis on Kant but he also tells us in "What is Enlightenment? (Was ist Aufklarung?)" in Rabinow (ed) ***The Foucault Reader*** (London: Penguin, 1984) pp. 32-50 what impact Kant's short essay "An Answer to the Question: 'What is Enlightenment?'" had on him. I also suggest that the critiques of Foucault mounted by Jürgen Habermas, ***The Philosophical Discourse of Modernity: Twelve Lectures***, trans. Frederick Lawrence (Cambridge Mass: MIT Press, 1985)Ch. 10; Charles Taylor "Foucault on Freedom and Truth", ***Foucault: A Critical Reader*** ed. David Couzens Hoy (Oxford: Basil Blackwell, 1986) pp 67-102; "Connolly, Foucault and Truth," ***Political Theory*** 13 (August 1985): esp. p. 383; "Taylor and Foucault on Power and Freedom: A Reply," ***Political Studies*** 37 (1989): 277-281; and Nancy Fraser, ***Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory*** (Minneapolis: University of Minnesota Press, 1989) especially Chaps 1-3;fall into the same trap – that is their criticisms of Foucault's work which they see as destructive of modern liberal subjectivity, assumes that he is "deconstructing" the Kantian subject of autonomy and rights.

inaugurated by Kant. A variety of British thinkers grappled with this problem prior to Kant. To this end I propose to conduct an analysis of the British trajectory of liberal empiricist thought, stretching from Mandeville to Hayek, that focuses on the problem of governing the passions and interests. It is hoped this can contribute towards the genealogical enterprise as Foucault envisaged; that is, towards a "history of the present." Moreover, it is through a consideration of the thinkers associated with the trajectory of neo-liberal thought that we are likely to gain greater insight into the practices of government which quietly order us around.

The trajectory of British liberal empiricist thought has a complex history which I shall trace through the work of moralists and political economists who were attempting to deal with the problem of governing conduct in the face of the declining authority of religion. Hobbes' answer to the problem was to posit the need for the absolute external authority of the sovereign, and his "solution" served as a catalyst for much late seventeenth and early-eighteenth century moral thought which sought to rebut his negative portrayal of human nature and its political consequences. The British moral thinkers are important to a genealogy of modern western subjectivity because they emphasise the problem of how to govern the conduct of the plain man, and this constitutes a crucial shift away from juridical models focused on sovereignty, either of God or ruler, state centred models of *raison d'etat* and the morality of the Prince.

Thus it was that late seventeenth and eighteenth-century British thinkers inaugurated a search for an art of government with appropriate technologies of self by which government of both self and society could be assured without resorting to overt techniques of policing or absolutism. Given the decline of

religion and the perceived weakness of reason, just what was the basis for governing self and society? The emergence of a developing commercialism made this an even more pressing problem, as ecclesiastic creeds were to some extent replaced by a growing concern with material wealth and prosperity.

While some thinkers continued to rely on reason or the rational moral will there was a growing movement against reason, which culminated in Hume's claim that reason is the "slave of the passions." Other solutions posed included natural benevolence, moral sense, conscience, moral gravitation and the principle of specialisation. Many depended on some form of virtue, either natural or civic, which they saw as the principal guide of conduct and cement for society. However, as I shall show in Chapter Four, Bernard Mandeville's critique of the politics of virtue undermined this project. Thus, in Mandeville and Hume the need for a well-developed art of government, which is "artificial" rather than natural,[20] is rendered explicit. What becomes evident by the time we reach Adam Smith is that the liberal art of governing conduct is based on two pillars: the natural (economic) liberty of individual interests and the rule of law, in the Lockean sense of freedom of men under government.

The maturity of Mandeville and Hume's "discovery" that government of self and society is and must be an artificial art, which nonetheless has real effects, caused Kant great anxiety. He sought to alleviate this by reintroducing the regulative principle of practical reason, thereby obscuring that which Hume had

[20] It was artificial in the sense that it evolved to meet human needs but not in the sense that it was rationally designed. It was not natural because it was historically and culturally contingent.

clarified. Perhaps this is what Nietzsche meant when he referred to Kant as "the fog from the North" and damned his "backdoor philosophy."[21]

The work of Mandeville and Hume is important because they significantly influenced the direction of Adam Smith's thought, and Smith, it can be argued, is one of the principal architects of our present. Through his system, which aims to achieve wealth and prosperity of the whole, through the liberty of the individual, Smith gives, perhaps unintentionally, the most explicit expression to the "freedom-regulation" problem which continues to be one of the central concerns of liberalism. That is the problem of determining an equilibrium between what is free, what has to be free and what needs to be regulated.[22] The relation between freedom and regulation, in its various forms, emerged as a key problematic for eighteenth-century political theory and Smith's work was intimately bound up with it.

While it was clear to Smith that individuals must be given a large degree of freedom to pursue their own interests in the economic field, indeed his whole system depended on it, it was less clear what degree of freedom should be extended to the private sphere of morality and conduct. This fundamental undecidability is deeply embedded in the fabric of liberalism, giving rise to new

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[21] Nietzsche, ***Twilight of the Idols*** (London: Penguin, 1990) p. 88. See also Richard Tuck, "The 'modern' theory of natural law," in Anthony Pagden (ed), ***The Languages of Political Theory in Early-Modern Europe,*** (Cambridge: Cambridge University Press, 1987) p. 99 who states "...the survival of the post-Kantian history into our own time has proved a great barrier to a genuine understanding of the pre-Kantian writers."

[22] Foucault, "Problematics," ***Foucault Live,*** p. 419-20.

technologies of government which, while they were grounded in the natural liberty of individual enterprise, were clearly directed towards the control and government of moral behaviour.[23] Paradoxically, these controls became increasingly necessary as the need to offset the dangerously debilitating effects of the new economic system, to which Smith contributed so much, was recognised. Indeed, one of the contradictions of modern power relations and governmental practices is that the discourse of freedom, individualism and liberty has proceeded along with the spread of disciplinary practices and organisations that have dangerous and normalising effects. Clearly, Smith recognised this problem, most obviously in respect to what he described as the "mental mutilation" that accompanied the division of labour. Thus, the optimism he exhibited concerning the efficacy of his system of natural liberty and ethics of self-command, was tempered by an awareness that by unleashing a different set of forces, in the pursuit of greater overall prosperity that was linked to solving the problems of governing self and society, new dangers had been created.

The influence of Smith is evident in the work of Friedrich August von Hayek and in the neo-liberal rationalities of government of the 1980s and beyond.[24] Significantly, in his late work Foucault singled out Friedrich Hayek and Milton Friedman as important figures who have influenced contemporary political-

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[23] Foucault's histories of madness, punishment and medicine have done much to reveal such practices of control and surveillance as have many of the studies conducted by scholars who continue working in the *governmentality* field.

[24] Indeed, when Sir Keith Joseph assumed the office of Secretary of State for Industry in the first Thatcher Government in 1979 he distributed to his senior civil servants a reading list, citing as

economy and offered critiques of the irrationality peculiar to "excessive government" which, says Foucault, mark a return to a technology of "frugal government."[25] Although Foucault latterly recognised this development, his work was limited by his earlier Kantian reading of the liberal individual as the autonomous rational sovereign subject. Of course, both he and Nietzsche radically deconstructed this subject, positing instead a non-unified unstable, historically and culturally contingent multiplicity, which has dual tendencies towards self-organisation and self-discipline, on the one hand, and an active resistance to this, on the other.[26] As we will see, this understanding of subjectivity bears a close resemblance to the subject of passions and interests which was the central concern of much seventeenth and eighteenth century British thought.

It seems clear, therefore, that in identifying a fragmented, multiple self, Foucault, following Nietzsche, was moving towards the notion of the non-unified individual held by early modern thinkers such as Hobbes and Mandeville and perhaps most clearly illustrated by Hume's notion of the

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key texts Smith's two great works, ***The Wealth of Nations*** and ***The Theory of Moral Sentiments.*** Cited in D. D. Raphael, ***Adam Smith*** (Oxford: Oxford University Press, 1985) p.1.

[25] See Foucault, "The Birth of Biopolitics," pp.77-79.

[26] Indeed, Foucault has been much criticised for attempting such a radical deconstruction of this figure of subjectivity. See for instance Habermas, ***The Philosophical Discourse of Modernity***: Ch. 10 who thinks that in discarding the modern self-interpreting individual and replacing it with a fragmented self Foucault has undercut any basis upon which to ground critique. The Foucauldian/Nietzschean self is, he says, capable only of fragmented empowerment which is insufficient for the job of criticising or resisting the ambiguous phenomena of modern society. (p.293). Other commentators echo similar criticisms. See for instance, Charles Taylor, "Foucault on Freedom and Truth" pp 67-102; "Connolly, Foucault and Truth," ***Political Theory*** : esp. p. 383; "Taylor and Foucault on Power and Freedom: A Reply," ***Political Studies***, pp 277-281; Nancy Fraser, ***Unruly Practices*** especially Chaps 1-3; Peter Dews, ***Logics of Disintegration Post-Structuralist Thought and the claims of Critical Theory***, especially Chaps 5 and 6 and Jean Cohen and Andrew Arato, ***Civil Society and Political Theory*** (Cambridge Mass: MIT Press, 1992) 292-295. It is not my intention to deal directly with these criticisms in this project. It is sufficient merely to note their existence as I have dealt with them extensively elsewhere. See Christine Standish, ***Towards a Micropolitics: Foucault, Power and Freedom*** (University of Tasmania: Unpublished Honours Thesis, 1993) Chapter 2.

"bundle man."[27] Yet both continued to work within Kantian conceptions utilising the idea of autonomy as a project of self-creation or self-transformation. This is reflected, for Nietzsche, in his notion of the "sovereign individual" who as an autonomous "supra-ethical" individual is the "ripest fruit on the tree,"[28] and for Foucault, in his "aesthetics of self." Paul Patton has suggested, for instance, that Foucault's work be seen as "directed at enlarging the sphere of positive freedom,"[29] which he understood in a special sense as being concerned not with self-realisation but with the maximisation of spaces in which self-definition can occur.

Significantly, Gilles Deleuze displayed a profounder appreciation of the importance of British empiricism as a way of thinking about and describing the self as multiplicity that "transcended" the boundaries of rationalism. Interestingly, Deleuze is the one major thinker in the French post-structuralist school who was not influenced by Heidegger and who looked very early in his career to David Hume's empiricism as a way of "escaping" the overwhelming Cartesian influence on European philosophy.[30]

This thesis therefore analyses the stream of thought that was connected with the "bundle-man," which partially formed the basis for the neo-liberal subject of interests and passions. To this end it traces the complexity with which this

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[27] See Friedrich Nietzsche, ***On the Genealogy of Morality***, ed. Keith Ansell Pearson (Cambridge: Cambridge University Press, 1994) p. 11 where he claims to find "these English psychologists...*actually interesting*!" It is widely assumed that he includes Hume in this description.

[28] ***Ibid.*** p.40.

[29] Paul Patton, "Taylor and Foucault on Power and Freedom," ***Political Studies*** 37(1989)263-66.

[30] Gilles Deleuze, ***Empiricism and Subjectivity: An Essay on Hume's Theory of Human Nature***, trans. Constantin V. Boundas (New York: Columbia University Press, 1991).

figure emerged, particularly during the eighteenth century in Britain, and does so in order to analyse the role it played in creating the conditions of possibility for a liberal art of government. Second, it explores the crucial roles played by Bernard Mandeville, David Hume and Adam Smith in this development. By giving consideration to the concerns, expressed in particular by Smith, about the system he did so much to facilitate, it is possible to redescribe more precisely what, after Foucault, can be called the "freedom-regulation" problem. That is, to make clear the dangers inherent within liberal practices of government, which have either gone unrecognised (although not by Smith and to a lesser extent Hume), been ignored, dismissed or accepted as the trade-offs necessary to achieve social order, predictability and prosperity. Foucault's sketchy and incomplete analysis of liberalism, when considered alongside his earlier insights, which showed that attempts to liberalise were synonymous with the growth of normalising and disciplinary practices, can, it is suggested, serve to animate a more mature discussion of the liberal practices of government to which we remain subjected.

The dissertation thus consists of two parts. Part One is concerned with filling in some of the outlines adumbrated above and Part Two examines the stream of British thought that stretches from Hobbes to Hayek. Specifically, Chapter One seeks to amplify and explore Foucault's conception of technologies of self and to demonstrate his overriding concern with the modern tendency for such technologies to work on the self in order to normalise it. From this it moves on to conduct a brief survey of Foucault's genealogy of the modern individual,

elaborating his comments on liberalism and governmentality, thereby setting the scene for subsequent chapters.

Having clarified Foucault's work on governmentality and liberalism, we proceed in Chapter Two to identify the complex topology of liberal political theory by conducting a survey that demonstrates the difficulty of locating a definitive Liberalism, offering a range of interpretations from key thinkers and commentators in the field. It also focuses on the distinctions between "British" and "European" versions of liberalism, noting differences in the understandings of self and the roles ascribed to reason and freedom. The Chapter then considers the freedom-regulation problem in the context of early twentieth century attempts to rescue liberalism through the New Liberalisms of T. H. Green, L. T. Hobhouse and J. M. Keynes, and the subsequent demise of British liberalism. Finally, it deals with the revival in the 1970s of two streams of Liberal thought: the return of Grand Liberal Theory, which was largely inaugurated by John Rawls' ***Theory of Justice***, and the revival of Liberal Political Economy as exemplified in the work of Hayek and Friedman. This latter revival marks a return to the eighteenth-century classical liberalism of Smith and Ferguson, amongst others, and signals a rejection of the New Liberalism of Green, Hobhouse and Keynes. Given the impact of Hayek on contemporary economic, political and social policy, it is important to reconsider how the work of Mandeville, Hume and Smith in particular influenced his thought.

Chapter Three marks the beginning of Part Two, and traces the complexity with which the neo-liberal subject of interests and passions emerged in seventeenth and eighteenth century British thought. It does so in order to analyse the role it played in creating the conditions of possibility for a liberal art of government. It

also renders explicit the key distinctions between Continental (mainly French) and English understandings of the law, which it has been argued, conditioned distinctive practices of political and social thought.

The following three chapters then analyse in detail eighteenth century confrontations with the freedom-regulation problem through the thought of three key eighteenth century "British" thinkers. These are Bernard Mandeville, David Hume and Adam Smith, all of whom grappled with the problem of how to govern the conduct of individuals in an increasingly commercial environment and did so well before Kant.

Specifically, Chapter Four attempts to analyse the role played in this endeavour by Bernard Mandeville, whose thought exemplifies early attempts to wrestle with the "freedom-regulation" problem. Important in this respect are his anti-rationalist psychology of human nature, his "conjectural" history of society that emphasised the notions of evolution and spontaneity, and his infamous claim that private vices yield public benefits.

Chapter Five aims to show how, after rejecting traditional devices (reason, religion, benevolence and self-preservation) for legitimating government and grounding political allegiance, Hume attempts to address these and the general problems of governing conduct using historical and naturalistic explanations. In so doing he draws on the work of Mandeville. Through his de(con)structive analysis of reason and religion Hume demonstrates that government of both self and society rests ultimately on human convention, interest and history and as

such is the best means available for promoting civility, order, stability and prosperity.

Chapter Six goes on to analyse how Smith takes up the streams of thought discussed in the previous three chapters and the implications his prescriptions for regulating for "natural" liberty have for the liberal project in general. The concluding chapter seeks to draw some conclusions about the paradox of regulated freedom.

PART ONE

FOUCAULT, LIBERALISM AND QUESTIONS OF CONDUCT

CHAPTER ONE
Setting the Scene: Foucault and Some Questions Concerning Conduct

What probably most concerned Foucault was to understand how the action of norms on the lives of men determines the type of society to which they belong as subjects. Pierre Macherey [1]

Introduction

This chapter traces an outline of Foucault's complex but incomplete genealogy of individual conduct, or ethics. He presented this as an history of problematisations of subjectivity which took the form of a series of enquiries into modes of relation to self which have been defined, modified and diversified over the course of Western history. That Foucault chose, in these genealogical investigations of modes of conduct, to focus primarily on the domain of sexuality does not preclude the possibility of analysis in other domains. Indeed, he had identified and was working on, at the time of his death, a related field of questions concerned with the way human beings as individuals are led through certain ***political*** technologies to recognise themselves as social and political entities; as citizens who are part of nations, states and societies.[2]

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[1] Pierre Macherey, "Towards a natural history of norms," ***Michel Foucault: Philosopher,*** Ed. and Tr. Timothy J. Armstrong (Hemel Hempstead: Harvester Wheatsheaf, 1992) p. 176.

[2] Foucault, "The Political Technologies of Individuals," in L. Martin, H. Gutman & P. H. Hutton, ***Technologies of the Self: A Seminar with Michel Foucault*** (London: Tavistock Publications, 1988) p.146.

The Chapter comprises three sections. The first attempts to clarify Foucault's understanding of technologies of self. Section two considers the purpose of Foucault's genealogy of ethics in the context of locating a "deep self," which he thinks is at the heart of our modern Western modes of socialisation. It also seeks to draw attention to Foucault's concern, which he shares with a number of other prominent "modern" thinkers, with what he called "normalisation." Section three focuses on three major components of Foucault's genealogy that have a bearing on his analysis of Western modes of subjectivity and questions concerning individual conduct: Pagan and early Christian ethics; early modern European morality from Descartes to Kant; and the emergence from the sixteenth century onwards of an art of government, which was variously linked with the principle of *raison d'etat*, science of police and techniques of pastoral power. Finally, consideration is given to Foucault's work on *governmentality* and his understanding of liberalism as an art or technology of government.

1. Technologies of Self

As part of his genealogical enterprise, Foucault studied three major interconnected problems: those of truth, power, and ethics (the domain of individual conduct). He identified three modes of objectification through which human beings have been transformed into subjects in modern Western culture: the human sciences; practices of division; and modes of subjectification, or ways human beings turn themselves into and learn to recognise themselves as subjects.[3] In the context of his genealogy of truth, Foucault sketched a history of the different ways in

[3] Foucault, "The Subject and Power," in Dreyfus & Rabinow, ***Michel Foucault: Beyond Structuralism and Hermeneutics***, 2nd Ed. (Chicago: University of Chicago Press, 1983) p. 208.

which human beings develop knowledge of themselves through what he called "technologies," of which he identified four main types: those of production, meaning, power and the self.[4] While all four are associated with the training and modification of individuals and their conduct, in the sense of acquiring attitudes rather than skills, it was to the technologies of power and self – the "contact between the technologies of domination of others and those of the self," which he called "governmentality" – that Foucault paid most regard.[5] Technologies of power are concerned with determining the conduct of individuals and submitting them to certain ends, while those of self relate to how individuals seek to transform themselves, either on their own or with the help of others. They do this, says Foucault, by working on their bodies, souls, thoughts, conduct and ways of being through technologies of self in order to attain a particular state, such as purity, happiness, virtue or immortality.[6]

This focus on technologies of self led Foucault to a preoccupation with governmentality, which, in its concern with the ***how*** of government, sought to describe the concrete ways in which government is actually carried out. In other words, governmentality can be related to an ensemble of institutions, procedures, analyses, reflections, calculations and tactics. This assemblage allows the exercise of a complex form of power, which has the population as its target, political economy as its principal form of knowledge and apparatuses of security (defence and

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[4] The technologies of production are concerned with the transformation and manipulation of things and those of meaning are associated with sign systems and communication.

[5] Foucault, "Technologies of the Self," in Martin et al, ***Technologies of the Self***, pp18-19.

[6] ***Ibid.*** p. 18.

welfare) as essential technical means.[7] Thus it is distinct from classical political theory which, in focusing on the problem of how to ground political sovereignty and political obedience on legitimate foundations, sought to discover or invent the ***best*** form of government. As Mitchell Dean puts it, governmentality asks questions "concerned with how we govern and how we are governed, and with the relation between the government of ourselves, the government of others, and the government of the state."[8]

Analysis of the emergence of technologies of self is difficult for two reasons. First, because they are concerned with acquiring attitudes they do not require the same material apparatus as the production of objects and are, therefore, often "invisible techniques." Second, they are often linked to technologies for the direction of others.[9] How, then, might such an analysis proceed? This was the task for thinking that Foucault set himself: to interrogate modernity around questions concerning the constitution of the subject within relations of power (understood as an unstable, ever changing and unresolved play of agonistic relations between power and the practices of freedom),[10] and questions concerning the "governing of conduct."

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[7] Foucault, "Governmentality," in Burchell, Gordon & Miller (eds), ***The Foucault Effect: Studies in governmentality with two lectures by and an Interview with Michel Foucault*** (Chicago: University of Chicago Press, 1991) p. 102.

[8] Mitchell Dean, ***Governmentality: Power and Rule in Modern Society*** (London: Sage Publications, 1999) p. 2.

[9] Foucault, "On the Genealogy of Ethics: An Overview of Work in Progress," in Dreyfus and Rabinow, ***Beyond Structuralism and Hermeneutics***, p.250.

[10] Having abandoned the humanist narratives of repression and liberation, Foucault suggested we think of power and freedom as each a condition for the other's possibility. That is, we think in terms of a permanent "agonism": a relationship which comprises reciprocal incitation and struggle that is less a face to face confrontation between two adversaries than a combat, rather like a wrestling match, a strategy of mutual taunting and reaction that is never completely resolved. See Foucault, "Subject and Power," p.222.

> *Perhaps the equivocal nature of the term conduct is one of the best aids for coming to terms with the specificity of power relations. For to 'conduct' is to 'lead' others (according to mechanisms of coercion which are, to varying degrees, strict) and a way of behaving within a more or less open field of possibilities. The exercise of power consists in guiding the possibility of conduct and putting in order the possible outcome. Basically power is less a confrontation between two adversaries or the linking of one to the other than a question of government.*[11]

2. Normalisation and the "Deep Self."

At the heart of Foucault's interest in ethics and technologies of self lies a concern about normalisation.[12] In his view it is belief in a deep self that has contributed to our constitution as "normalised" social, political and ethical selves and is at the heart of our "dangerous" Western methods of socialisation. Through his genealogy of ethics Foucault tried to locate the point in our history at which there emerged an interest in the formation of individuals as "deep selves." In historicising this modality of self Foucault sought to open spaces for thought about the possibilities of different selves.[13] In so doing he effectively modified Nietzsche's hypothesis that techniques of self-analysis and control were purely Christian inventions and that Christian asceticism is what has made us the kind of creature which is able to make promises.[14]

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[11] Foucault, "Subject and Power," pp.220-221.

[12] In this as in many other respects, Foucault's work was heavily influenced by Nietzsche's genealogical critique of the ascetic ideals of Western culture and Heidegger's critique of Western metaphysics which he saw grounding modernity's impulse towards technological-instrumental orientations to the constitution of the self and the world. See Foucault, "The Return of Morality," in ***Foucualt Live: Collected Interviews, 1961-1984***, Ed. S. Lotringer (New York: Semiotext(e), 1996) p. 470 where he reveals his intellectual debts to Nietzsche and Heidegger.

[13] Dreyfus and Rabinow, ***Beyond Structuralism and Hermeneutics***. pp. 253-4.

[14] Friedrich Nietzsche, ***On the Genealogy of Morality***, ed. Keith Ansell-Pearson, trans. Carol Diethe (Cambridge: Cambridge University Press, 1994). See especially the "Second essay: 'Guilt, 'bad conscience' and related matters," pp. 38-71 in which Nietzsche describes the conditions of possibility for such a creature.

Certainly, Foucault agrees that the deep self, constructed through Christian history, constitutes a fertile soil for the development and application of intrusive technologies of self: at first as a likely target for practices of purification and repentance, then as knowledge of one's true underlying character, and most recently for therapeutic normalisation.[15] Nevertheless, he suggests that these techniques of obedience, self-examination, confession and guidance were, in fact, adapted from the techniques of self-examination and austerity, already in place by the time of the Stoics, and transformed by Christianity into technologies for purification. It is, of course, part of Foucault's thesis that similar techniques of self, especially those of confession and self-scrutiny, are employed in a modern context in the form of psychiatric, medical, penal and educational practices in order to constitute positively a new self (one that lives, speaks and labours) rather than to renounce it.[16]

Foucault poses the substantive reason of the Stoics, with its emphasis on care and preference, as something very different to the situation in modernity where regulative reason, that emphasises order and imperative, filled the void created by critical reason; a development he attributes to Kant. In *The Use of Pleasure* Foucault strives to show that while a prohibition code operated for the Stoics it was not erected around the logic of the norm.[17] Emphasis was on preferential rather than imperative reason. Deviancy was not an issue for the Greeks. Instead, the question was one of excess or moderation. Those who were excessive were considered to be out of control and of bad

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[15] Dreyfus and Rabinow, *Beyond Structuralism*, p.257.
[16] Foucault, "Technologies of the Self," p.49.
[17] Foucualt, *The Use of Pleasure: The History of Sexuality, Vol. 2*, Trans. Robert Hurley (New York: Vintage Books, 1990).

reputation, but there was no attempt to "normalise" them through reform or cure.[18] Self-discipline was practiced in order to achieve self-mastery in the name of a beautiful life but not in order to eradicate the self. The aim was not to live a good life in order to know the truth about desire, life, nature or body (although the topics of nature and the body were of profound interest to the ancients) but to live a good life for itself; to create oneself without recourse to universal rules or truth. This is somewhat like Nietzsche's observation in the ***Gay Science*** that a "good life" might be concerned to "give style to one's character through long practice and daily work."[19]

As we shall see, the theme of styling one's character through certain practices was one which greatly appealed to many eighteenth-century thinkers who were concerned with issues of character, reputation, honour and good conduct. Anthony Ashley Cooper (the third Earl of Shaftesbury), David Hume and Adam Smith can be singled out as prominent examples in this respect, all of whom were strongly influenced by Stoic philosophy.

In any event, it was not discipline (government or rationality) per se which bothered Foucault. Discipline was not for him synonymous with the norm. Indeed, like Nietzsche before him, he obviously admired many aspects of the classical culture of self that employed practices of self-discipline in order to impart a certain but "careful" style to one's life. It is, instead, the normalisation of disciplinary techniques, and their association with what can perhaps be called "juridico-disciplinary"

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[18]Foucault, "On the Genealogy of Ethics," in Dreyfus & Rabinow, ***Beyond Structuralism***, p.230.

[19] Friedrich Nietzsche, ***The Gay Science***, trans. with commentary by Walter Kaufmann (New York: Vintage Books, 1974) p. 232.

rationalities, that he saw as problematic. What concerned Foucault (following Nietzsche and Heidegger) was the formation of discipline around the logic of the norm, which can be understood as linking individuals through a common measure produced as a result of a group's reflection on itself. Normalisation, says Foucault, is a perpetual form of judgement that "compares, differentiates, hierarchizes, homogenizes (and) excludes."[20] It is totalising in its relation to the common measure, which is derived from the group, and individualising in its effect, operating in a purely comparative sense, without reference to nature or essence, but instead to standards derived from within and not outside a society of individuals. The point is that the "abnormal" and the "normal" do not have separate and distinct natures: the abnormal forms part of the material from which the normal is constructed.[21] Normalisation cannot, however, be equated with repression or passivity. On the contrary, as Foucault seeks to demonstrate, the normalised subject actively works at constituting itself as a living, working, speaking, sexual and ethical being.

Foucault's overriding concern with normalisation owes much to the influence of Nietzsche and Heidegger, whose work displays a

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[20] See Foucault, ***Discipline and Punish: The Birth of the Prison***, trans. Alan Sheridan (Harmondsworth: Penguin, 1982) pp.177-183 for his description of normalising judgement.

[21] Francois Ewald, "A Power Without an Exterior," ***Michel Foucault: Philosopher***, p. 174. Thus the giant and dwarf, idiot and genius, mad and sane, good and evil, sick and healthy, criminals and good citizens are all part of a normalising continuum that is both totalising and individualising. Pierre Macherey suggests that Foucault has identified the existence in the modern period of two overlapping models of the norm and that his investigations have evolved around a fundamental question concerned with how there is a move from a purely negative model founded on juridical exclusion (relating to the permitted and the forbidden) to a positive biological model which functions as inclusion and regularisation with reference to the distinctions confirmed by the "human sciences" between the normal and the pathological. The point being that analyses of social, political and ethical relationships and institutions will have to be defined and conducted on completely different bases depending on which model one focuses on. Macherey, "Towards a natural history of norms," ***Michel Foucault: Philosopher***, p. 176.

prominent preoccupation with this theme. Indeed, these two thinkers share, with Foucault, a similar concern in seeing "normalisation" as the principal danger posed by modern modes of "government" and "self constitution."[22]

Of course Nietzsche, Heidegger and Foucault were not the only "modern" thinkers to write against this perceived danger. Notable also in this respect were John Stuart Mill in his concern with the potential dangers posed to individual "freedom," diversity and creativity by the tyranny of public opinion; Alexis de Tocqueville's concern with mass society and his conviction that a strong aristocracy served as a powerful bulwark against despotism and so helped preserve freedom; and other "aristocratic liberals" such as Jacob Burckhardt, Lord Acton and Walter Bagehot who were all perturbed by the potential spread of mediocrity.[23] Other notable thinkers in this regard include George Eliot and Matthew Arnold who were troubled by the fear that orthodox liberalism could do little to civilise and restrain the rising tide of popular democracy.[24] All these thinkers were firmly convinced of the overwhelming need to preserve a wide sphere for personal freedom to enable variety, eccentricity and "character" to be freely developed and expressed without fear of interference from or coercion by external bodies. One can also point to Max Weber's concern about the

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[22] The link between Nietzsche, Heidegger and Foucault is explored to some degree by Charles E. Scott in ***The Question of Ethics: Nietzsche, Foucault, Heidegger*** (Indianapolis: Indiana University Press 1990).

[23]The term "aristocratic liberal" is coined by Alan S. Kahan in his book ***Aristocratic Liberalism: The Social and Political Thought of Jacob Burckhardt, John Stuart Mill, and Alexis de Tocqueville*** (New York & Oxford: Oxford University Press, 1992).

[24] On this see Anthony Arblaster, ***The Rise and Decline of Western Liberalism*** (Oxford: Basil Blackwell, 1984) Ch. 15. Indeed, Arblaster observes that "fear of the mob," the propertyless, is a recurring theme in liberalism. In the minds of many middle class liberals culture and enlightenment were threatened by popular rule and it was widely believed that democracy would lead to the destruction of private property and the "dumbing down" of society in general. p. 264.

formation in modern society of bureaucratised man, and subsequently the Frankfurt School's fears about the creation of a "one dimensional man" and the attendant loss of a realm of *avant garde* critique.

3. Foucault's Genealogy of Ethics

There are three major aspects to Foucault's genealogy of ethics that have a bearing on his analysis of Western modes of subjectivity and offer us clues to his investigations into questions concerning human conduct. Specifically, these can be identified as the studies he conducted of Pagan and early Christian ethics; early modern European morality from Descartes to Kant; and the emergence from the sixteenth century onwards of an art of government. It is to a consideration of these that we will now turn.

Pagan and Early Christian Ethics

> *The idea of the bios as a material for an aesthetic piece of art is something which fascinates me. The idea also that ethics can be a very strong structure of existence, without any relation to the juridical per se, with an authoritarian system, with a disciplinary structure.*[25]

While questions concerning technologies of self may have made a relatively recent appearance, Foucault has demonstrated, through his work on Graeco-Roman and early Christian ethics that concern with the "conduct of life," understood as a government of self and others, is not a recent preoccupation. Inspired by Heidegger's notion of "care" (*sorge*), rather than knowledge, as *Dasein's* primary relationship to the

[25] Foucault, "On the Genealogy of Ethics," p.235.

world,[26] Foucault sketched the development of a hermeneutics of self in two historically contiguous contexts to show how concern with self changed between these two periods. He showed that while there was no moral rupture between tolerant antiquity and austere Christianity - Christianity having developed a set of austerity practices, which were in fact borrowed from the Greeks - the relationship to self in each system was different.[27]

In the Graeco-Roman period concern with self was part of a larger question of government, which was situated at the centre of practical philosophy, and posed at the interrelated levels of the individual (self-government), the economy (government of the house) and the *polis* (government of the city).[28] Pagan ethics were generally concerned with a relationship to self that took the form of a careful "stock-taking" administration. As part of this administration of self a series of "mnemotechnical" devices were used to examine the conscience in

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[26] See Heidegger, ***Being and Time***, Trans. John Macquarie & Edward Robinson (Oxford: Basil Blackwell, 1962) Division I, Chapter 6: "Care as the Being of Dasein," pp.225-274.

[27] Foucault, "On the Genealogy of Ethics," p.230. As Foucault tells us in ***The Use of Pleasure***, p.8 be benefited a great deal from the works of Peter Brown and Pierre Hadot. See, for instance, Brown, ***The Making of Late Antiquity*** (Boston: Harvard University Press, 1978); and his chapter "Late Antiquity" in ***A History of Private Life Volume 1: From Pagan Rome to Byzantium***. Ed. Paul Veyne (Cambridge Mass: Harvard University Press, 1991). See also Pierre Hadot's analysis and critique of Foucault's descriptions of 'techniques of the self' practiced in late Antiquity as being "too much centred on the 'self'" or what he thinks are inexact conceptions of Graeco-Roman spiritual exercises; and his "Reflections on the notion of 'the cultivation of the self'" in ***Michel Foucault: Philosopher*** Ed. T.Armstrong p225-6; as well as Arnold Davidson's defence of Foucault in "Ethics as ascetics: Foucault, the history of ethics, and ancient thought," in Gary Gutting (ed), ***The Cambridge Companion to Foucault*** (Cambridge: Cambridge University Press, 1994) pp.115-140. Other texts of relevance to this sphere of Foucault's work include Foucault "About the Beginning of the Hermeneutics of the Self: Two Lectures at Dartmouth" ***Political Theory*** 21 (2, 1993): 198-227; Paul Veyne "The Final Foucault and His Ethics" Tr. Catherine Porter and A. I Davidson. ***Critical Inquiry,*** 20(1993): 1-9; Averil Cameron "Redrawing the Map: Early Christian Territory After Foucault," ***The Journal of Roman Studies*** 76 (1986): 266-271. See also Arnold Davidson "Introductory Remarks to Pierre Hadot," in Davidson (ed), ***Foucault and His Interlocutors*** (Chicago & London: University of Chicago Press, 1997) pp. 195-202.

[28] Pasquale Pasquino, "Michel Foucault (1926-84): The Will to Knowledge," ***Economy and Society*** 15 (1, 1986): 104.

order to help individuals remember rules of conduct as part of their everyday quest to establish identity.[29]

With the advent of Christianity a new relationship to self was ushered in; one that was "juridical," rather than administrative, in its stress on the punitive excavation of guilt and negative "ordering" of self that flowed from a desire to obtain self-knowledge. In Christianity, examination of conscience was a way to discover deep feelings and faults. Complete knowledge of the self was required if purification was to be achieved, and purification was the pre-requisite for salvation (from death to life and from time to eternity), which was the telos of Christian ethics.

Both ethical systems were concerned with establishing a certain character or mode of identity, and both employed particular ascetic practices in order to effect self-transformation. Yet, the form of the relationship to self and the telos of each system were different. The relationship to self in the ancient system was, in the main, one of "agonism" aimed at organising and "mastering" the differing elements of self as part of the process of establishing identity. Interestingly, this was also an important and recurring theme for eighteenth-century thinkers as they sought to solve the problem of governing the multiple human passions.

Christianity, on the other hand, was concerned with a battle to purge "otherness" from the self. Access to truth required purity of the soul, which is the consequence of self-knowledge, and ascetic practices were

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[29] Foucault, "The Technologies of Self," p. 34.

used to constitute a self, which had self-sacrifice or renunciation as its goal. In the battle to purge the self of "otherness," classical techniques of austerity were transformed into technologies for the purification of desire and elimination of pleasure so that austerity became an end in itself rather than a means to self-government. It was Foucault's ethical problematic to show how concern for self was transformed from Graeco-Roman "care for self" into Christianity's "know thyself."[30]

In seeking to address the problem of why "know thyself" obscured "take care of yourself," Foucault suggests that with the advent of Christianity a new technology of self was introduced. This was one more concerned with thought than action; that emphasised the need for fixity rather than mobility of spirit; and derived from a new morality which had respect for external law as its basis rather than respect for self. In other words, the rules for acceptable behaviour lay in relation to others and not in relation to oneself. In a Christian context "taking care of self" assumed the appearance of immorality as a means to escape from rules. Christian asceticism insisted that self-renunciation be the condition for salvation: the self could and should be rejected. Why? Because it was believed the self must be purged of otherness; the enemy that lurks within must be banished; the figure of Satan, introduced through Christianity, that can enter the soul and hide behind seeming likenesses of self, must be eliminated. Such a battle could not be fought alone, however. Help from the Almighty was required and this was forthcoming through one's immediate

[30] Foucault gives a detailed explanation of this project in "The Technologies of Self" and "On the Genealogy of Ethics" cited above.

supervisor, a superior to whom one confessed one's sins and related in general through submission and obedience.[31]

It is important to understand that Foucault did not pose classical ethics as an answer or alternative to modernity's problems. Greek ethics was posed as a working system that dealt with similar problems to ours, but differently. Foucault suggests that the problems faced by we moderns are similar to those faced by the Greeks: a concern with conduct rather than religious problems. Again, it must be pointed out that eighteenth-century thinkers, such as Shaftesbury, Hume and Smith, were also preoccupied with this problem and they, too, looked to the Greek and Roman Stoics as sources of inspiration to animate their own reflections on human conduct in what was becoming an increasingly secular Western world.

As Foucault sees it we "moderns" no longer believe ethics to be founded on religion, although we are left with guilt and conscience which are Christian residues. Yet we seek to ground our norms and methods of socialisation in law and science using practices and techniques that emanate from the Christian concern with self-knowledge. In so doing we have been led to seek the truth of the desires that lurk within our "deep selves" and have thus become entangled in ourselves and governed by a labyrinthine and normalising web of law and disciplines, which take the form of both internal and external punitive practices and endless therapy on the self. This, says Foucault, constitutes the current danger for us. By considering how a

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[31] See Foucault, "The Battle for Chastity," ***Politics, Philosophy and Culture***, p. 241 and "Technologies of the Self," p. 22-27. This is a Catholic rather than Protestant idea, and underlines the fact that Foucault's reading of Christianity is Eurocentric.

similar problem was dealt with through a liberal art of government that had its beginning in the late seventeenth and early eighteenth centuries, perhaps other "dangers" will be illuminated.

In any event, in addressing this difficulty Foucault, as genealogist, traced the lineage of Christian self-understanding, which produced what he saw as the current danger, in order to loosen its grip and, as archeologist, proceeded to unearth the preceding system.[32] Here he discovered a different system of ethics (Graeco-Roman) which was unrelated to religion, law and science. In showing that a similar problem had been confronted before and responded to differently - by conceiving ethics in regard to an art or *techné* of living one's life - Foucault offered a new perspective to the problem.[33]

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[32] It is somewhat misleading to think of Foucault instigating a sharp methodological break in the form of his analyses by discarding the earlier archeological approach in favour of the later genealogy. I think it is much more the case, which Dreyfus and Rabinow argue, that the post 1968-1970 Foucault pitches his analyses between archeology and genealogy. That is he identifies a current danger - in this context modern modes of subjectivity which are bound up with a normalising web of law, disciplines and governmental rationalities - and proceeds, as genealogist, to trace the lineage of the form of self understanding and conditions of possibility that have produced or enabled this danger, in order to loosen their grip by showing their contingency and particularity. He then proceeds as archeologist to unearth the preceding system to show how similar problems may have been confronted and responded to differently. In so doing he offers a different perspective and dimension for reflection upon, and analysis of, contemporary political questions. See Foucault, ***The Use of Pleasure***, pp. 11-13 and Dreyfus and Rabinow, ***Beyond Structuralism and Hermeneutics***, p.257. See also Foucault, "The Discourse on Language," Appendix in ***The Archeology of Knowledge***, trans. A. Sheridan Smith (New York: Pantheon Books, 1972) pp. 229-234 for a full explanation of his methodological program in which he describes the genealogical mood as one of "light hearted" positivism and in so doing ironises the term and tradition of positivism. What he means by this is that he is concerned with a concrete analysis of the external conditions of existence: the events, practices and texts of history. Todd May describes Foucault's approach as a "radical political empirics" in his ***Between Genealogy and Epistemology: Psychology, Politics and Knowledge in the thought of Michel Foucault*** (Pennsylvania: Pennsylvania State University Press, 1993) p. 100; and in ***Michel Foucault: The Freedom of Philosophy*** (New York: Columbia University Press, 1985) pp 50-60 John Rajchman calls it a "double nominalism."

[33] Foucault, "On the Genealogy of Ethics," pp.231-233. See also Dreyfus and Rabinow, ***Beyond Structuralism & Hermeneutics***, p. 257 for a discussion of these issues.

Foucault was interested not only in Greek ideas about aesthetic self-creation but also the fact that, in antiquity, work on the self was not imposed by civil law, religious obligation or universal moral duty, but was more a matter of politico-aesthetic choice. Thus he shows the plausibility and coherence of an ethical system not grounded in norms, underwritten by religion, law or science, that forms the basis for an ethical life that is different from the one we take as given. Interestingly, as we shall see, these were concerns taken up by key thinkers in the eighteenth century.

Early Modern Morality: A European Perspective

The classical culture of self, although overturned by ideas of self-renunciation, was not completely lost with the advent of Christianity.[34] Many elements were, in fact, simply integrated, displaced or reutilised. Indeed, Foucault tried to show how the culture of self was put to work in the exercise of a "pastoral" power. Because pastoral power had a care of souls (on a mass scale) as its object, the classical care of self was deformed losing much of its "autonomy."[35]

Despite these transformations, it is Foucault's claim that the possibility of accessing truth continued to be linked to practices of the self until the sixteenth century. Thus it was not possible to access truth without first undertaking substantial work on oneself, through contemplation, in order to purify, convert and thereby open the soul up to truth. In other words, there could be "...no access to truth without ascesis." It was, says Foucault, Descartes who broke with this ethic by substituting an

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[34] While Foucault draws attention to the fact that there is a brief but interesting reaffirmation of the idea of life as a work of art during the Renaissance, he neglects to consider how this line of thought is played out in an Anglo-Scottish context.

[35] Foucault, "On the Genealogy of Ethics," p. 251.

abstract subject, as the founder of knowledge, for a particular subject constituted through practices of the self.[36]

By founding truth on the notion of the subject, Descartes introduced a problem for modern philosophy. This notion of the subject arose, according to Heidegger, from the claim of man to be a self-supported, unshakable foundation of truth, in the sense of certainty that originated in "...the emancipation of man in which he frees himself from obligation to Christian revelational truth and Church doctrine to a legislating for himself that takes its stand upon itself."[37] What was decisive about this modern turn, says Heidegger, was that in freeing himself to himself, man takes up the position as one constituted by himself and makes that position secure as the solid foundation for the possible development or progress of humanity. "There begins that way of being human which mans the realm of human capability as a domain given over to measuring and executing, for the purpose of gaining mastery over that which is as a whole."[38] Thus, says Heidegger, the "abstract, universal, timeless I," that is the *cogito* (subject as the ground of truth) hovers over all forms of being human and forms the basis for modern theories of man, both individual and collective.[39]

Foucault underlines the importance of this development. With Descartes rules of evidence were substituted for ascetic practices at the point where the relationship to the self intersects with the relationship to others and the world. One no longer needed to be ascetic to know

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[36] ***Ibid***

[37] Martin Heidegger, "The Age of the World Picture," in ***The Question Concerning Technology and Other Essays***, Trans William Lovitt (New York & London: Garland Publishing, 1977) p. 148.

[38] ***Ibid***, p. 132.

[39] ***Ibid***, pp. 132-4.

the truth: one could be immoral and know the truth. Moreover, this idea that an undeserving abstract subject could have access to the truth, is new. "Before Descartes, one could not be impure, immoral and know the truth. With Descartes, direct evidence is enough. After Descartes we have a non-ascetic subject of knowledge. This change makes possible the institutionalisation of modern science."[40]

Foucault shows that Descartes' non-ascetic subject of knowledge poses a problem for Kant in knowing its relationship to the subject of ethics. Ultimately, he focuses, critically, on Kant's attempt to locate a ***universal*** subject that could straddle the realms of knowledge and morality to be simultaneously the subject of epistemology and of ethics. This was, in fact, the relationship to self that Kant proposed in ***The Critique of Practical Reason*** (1788). Thus, says Foucault, once Descartes cut scientific rationality loose from ethics, Kant (via Rousseau) reintroduced ethics as an applied form of procedural rationality. In this context, one recognised oneself as a universal subject by constituting oneself in each action as a universal subject by conforming to universal rules. Thus the old questions were reinterpreted. Instead of asking: "How can I constitute myself as a subject of ethics?" "How can I recognise myself as such?" "Are ascetic exercises needed?" all that was required was a Kantian relationship to the universal that made one ethical by conforming to practical reason. In other words, to be ethical one simply adhered to a universal norm: so that practices of self became redundant. The problem with this, says Foucault, was that such constitution was according to norm and duty associated with

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[40] Dreyfus & Rabinow, ***Beyond Structuralism & Hermeneutics***, pp.251-252.

universalised imperative, rather than preferential choice associated with particular practices of self.[41]

With the Enlightenment Foucault sees critical reason revealing an absence of tradition, religion and rational grounds for understanding the self and world. This in itself is not necessarily problematic. Indeed, as we will see, Bernard Mandeville and David Hume managed to deal with this problem adequately. However, Foucault largely neglects their responses because his analysis moves from the Cartesian revolution in philosophy, directly towards a consideration of Kant's response to the Cartesian problematic. In so doing he does not, on the whole, give adequate attention to the vast body of seventeenth and eighteenth-century British thought that was preoccupied with this problem well before Kant and which came up with a range of different responses to it.

However, in seeking to establish new grounds for the rules of conduct, Kant attempted to fill the space created by critical reason with a regulative ideal of pure reason; organising reality so it can become more coherent and specific. As the religious framework, which had for so long underpinned Western rules of conduct, partly disappeared during the Enlightenment, the modern quest to order more perfectly and coherently the self and world ensured that regulative reason filled the spaces created by the critical analysis of thinkers like Hume. This paved the way for those who saw, and continue to see, an endless task for critical reason of clearing away the darkness, impediments and distortions in order to bring forth truth.[42] It is these observations

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[41] *Ibid*, p.252.
[42] *Ibid*, p.241.

which form the basis of Foucault's critique of thinkers such as Habermas, (and we can add Rawls), who continue to adhere to this theoretical line.

According to Foucault, this is our present condition. Juridico-disciplinary regimes or rationalities of power govern rules of conduct. There is a tendency towards greater totalisation on the one hand and specificity on the other and a corresponding aim to ground norms in reason. For Foucault it is not a question of abandoning reason, as he has so frequently been accused, but of genealogy alerting us to the danger of accepting Kant's solution, or any other solution for that matter, which seeks to select the "liberating" aspects of the Enlightenment project - critical reason - and ignore the dangers posed by regulative and instrumental reason. Foucault shows that the imperative to use reason to discover deep truth is a construct which has to hide its history in order to function and that the belief in a deep self leads to the application of scientific rationality which contributes, in turn, towards normalisation.[43] Through his genealogy he shows that there have been different understandings of reason in our history that need not compensate for emptiness, or a sense of homelessness, by bringing all aspects of life under more and more totalising principles and suggests we need to rethink our modern understanding of reason.

Certainly, this is a project with which Mandeville and Hume might have sympathised, given their own attempts to subject reason to intense de(con)structive scrutiny. Indeed, by giving consideration to the British trajectory of thought, largely ignored by Foucault, the

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[43] Dreyfus and Rabinow, ***Beyond Structuralism & Hermeneutics***, pp. 259-60.

problem he seeks to adumbrate can be more coherently framed. This will be our task in Part Two of this thesis. In the meantime, we can move on to consider Foucault's analysis of modern "rationality."

Government: as Art and Rationality

Foucault aimed to describe the kind of rationality that characterised the modern period and he identified this as being a "rationality" or an "art" of government. These concepts denote an understanding of government as an activity or practice (art) and as ways of thinking about and knowing what that activity was and how it might proceed (rationality). Perhaps the idea of an "art of government" can be taken to denote the general conceptual complex associated with practices of power and freedom.

Analysis of government enabled Foucault to move away from more repressive and negative conceptions of power, which had tended to pervade his work until he embarked on the ***History of Sexuality*** project, towards the notion that relations of power are productive.[44] Within this perspective he suggests government was not perceived as a repressive activity. Indeed, as Adam Ferguson had earlier pointed out, "modern" government is positive and productive, requiring and presupposing the activity and freedom of the governed.[45] The conceptual tool of governmentality renders Foucault's notion of power relations more explicit. Government is now understood as an "agonism" between relations of power and freedom.[46] In a sense, this is

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[44] See especially ***The History of Sexuality***, Vol. 1. Trans. R. Hurley (London: Penguin, 1978).

[45] Adam Ferguson, ***An Essay on the History of Civil Society***, Edited by Duncan Forbes (Edinburgh: Edinburgh University Press, 1966) p. 187.

[46] Foucault, "The ethic of care for the self as a practice of freedom," trans. J. Gauthier in J. Bernauer & D. Rasmussen (eds), ***The Final Foucault*** (Cambridge MA & London: MIT Press, 1987 p. 12 and "The Technologies of Self," p. 19.

similar to Locke's understanding of human freedom as the freedom of men under government. Governed individuals may be identified in various ways, says Foucault, and their subjective self-identity differs according to the specific form of political order. In this particular context, Foucault is interested in the type of conception of individuals made possible through the techniques of a liberal art of government which has the objective of securing the welfare of the whole through the freedom of the individual. That is a government of all and of each.[47] Through his analysis Foucault demonstrates that modern liberal conceptions of economic, social, moral and political subjectivity are the invented product of a long and complex process of ethical and political questioning and practical work on the self.

Thus, while the liberal stress on individuality might reflect a commitment to technologies of self-discipline that produce an autonomous/sovereign individual, it obscures, at the same time, the price that is paid in seeking to render the individual more transparent and consequently more calculable and normalised. In other words, Kantian liberalism presupposes the existence of a productive subject that is also well behaved and calculable. Consequently Kantianism does not appreciate the Foucauldian problematic: the dangers of normalisation that are bound up in technologies of self-discipline. From a Kantian perspective, only a well-behaved and deserving subject is entitled to rights and liberty. One who is unruly, disobedient or recalcitrant must be encouraged to work at reconstituting itself through

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[47] Foucault, "Politics and Reason," ***Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984.*** Ed. with an introduction by Lawrence Kritzman (New York: Routledge, 1988) p.57.

more overt disciplinary practices associated with social reform, cure or punishment, any of which may, in certain circumstances, involve the withdrawal or curtailment of "liberty" and rights.

Among the multiplicity of acts, gestures and states of mind and body that are subjected to or resistant to relations of power is to be found a certain dissonance or intractability, which may seek to resist transformation, by "normalising" practices, into a good "liberal" subject. Yet, the other side of the multiple subject, is the "self" which becomes an instrument of power, a tool that actively works at reducing its own recalcitrance, resistance, unpredictability and thereby obtaining its own docility.

According to Foucault, the general problem of government erupted in the sixteenth century in various forms: how to govern oneself, how to be governed, how to govern others, who will people accept being governed by, by what methods, and how to be the best possible governor. All these problems of government intersect with and are contemporaneous with two significant processes which effected major and widespread transformations throughout the Western world: the centralisation of the state, which shattered traditional institutions and relationships, and the religious dispersion and dissidence of the Reformation and Counter-Reformation, which raised the issue of how one is to be spiritually ruled and led on this earth in order to achieve eternal salvation. Within this intersection there emerged the general problem of government.[48]

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[48] Foucault, "Governmentality." pp. 87-88.

The search for an art of government began in Europe, claims Foucault, in the sixteenth century, and from the end of that century to the middle of the seventeenth century a range of different arts of government were drawn up.[49] Even prior to this, Machiavelli had written about an art of government in the limited sense of the prince's ability to hold on to a territory. But a body of literature that sought to shift the "seat of political reason from prince to state" quickly replaced this idea. And so the age passed from an art of governing whose principles were borrowed from traditional virtues (wisdom, justice, custom, respect for divine law) or from a common notion of competency or prudence to an art of governing whose rationality had its principles and spheres of application precisely within the State.[50]

What interested Foucault was not questions of how states were formed or how they ensured their survival, but the type of rationality that was implemented in the exercise of state power and the type of individual to which it was linked.[51] What troubled him most was the propensity for practices of government in Western societies to tend towards "a form of political sovereignty which would be a government of all and of each."[52] Such concerns were central to Foucault's studies conducted under the conceptual rubric of "governmentality."

As Foucault sees it, the development in the seventeenth and eighteenth centuries of an art of governing, whose rationality was deeply

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[49] Mercantilism and cameralism are arts of government from this period that he singles out for special treatment.

[50] Foucault, "Security, Territory and Population," in Paul Rabinow (ed),*The Essential Works of Foucault*, Vol. 1, *Ethics, Subjectivity and Truth* (New York: The New Press, 1997) p.68.

[51] Foucault, "Politics and Reason" p. 73 and "Subject and Power" p. 216.

[52] Colin Gordon, "Governmental rationality," *The Foucault Effect*, p. 3.

entwined with the State, was associated with the idea of *raison d'etat* (reason of state) and took shape in "two great ensembles of political knowledge and technology," that related to the external and internal security of the state. The first was a diplomatic-military technology concerned with guaranteeing and developing the forces of the State through alliance and military power, to which debates concerning the role of a standing army were pivotal. The other was a technology and science of police concerned with increasing the forces of the State by managing and directing the population from within. At the junction of these two great complexes, and as their common instrument, Foucault locates commerce and international monetary circulation. For it was through wealth generated by commerce that the hope for growth - in population, work-force, production, exports, capital, military power and most importantly state power - became possible.[53]

The doctrine of *raison d'etat* denotes an overriding concern with the security and preservation of the state itself and, says Foucault, can be seen as an attempt to define how principles and methods of state government differed from the way God governed the world. This constituted a break with both the Christian and Machiavellian theoretical traditions. The aim of the new art of governing was "rational" and its concern secular, seeing the state as an entity whose forces needed to be preserved and enhanced if it was to survive over time. The locus of its concern was not with the divine ends of man, reinforcing the power of the prince or legitimising sovereignty. It was, instead, to strengthen the state itself, which involved both external and internal security concerns. The state was no longer to be conceived as

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[53] Foucault, "Security, Territory and Population," p.69.

an equilibrium of elements brought together and maintained by good law. It was to be thought of, instead, as a set of forces and strengths that could be increased or weakened according to the government's politics. Because states were in competition with each other, these forces needed constantly to be increased and this is a very different view to the one generally held in the Middle Ages that one day all states would be unified prior to Christ's return. Politics was now about a multiplicity of states competing and struggling in limited history.[54] Instead of simply implementing general principles of reason, wisdom and prudence, government began to require specific, precise and concrete knowledge of the state's strength and the relative strengths of other states.

Yet to take account of developments in a British, rather than European, context, a far more nuanced account of *governmentality* is required. For, it can be argued, *raison d'etat* was of more importance in a European, and especially Italian, context than it ever was in Britain, where commercial interests tended to be privileged[55] and where there was the evolution of the idea of parliament as a sovereign law-making body and an emphasis on Common rather than Roman law. Nevertheless, there is little doubt that if we look at Adam Smith's ***Wealth of Nations***, which Foucault does, we can see that it was clearly dedicated to the task of dismantling key institutional blockages which he saw as obstacles to his system of "natural" liberty. While he offered critiques of feudalism and mercantilism, he was also deeply concerned with what he called the "spirit of system," that is excessive and unnecessary

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[54] Foucault, "The Political Technology of Individuals," p147-151.

[55] Cf. Jacob Viner, ***The Long View and the Short: Studies in Economic Theory and Policy*** (Glencoe, Illinois: The Free Press, 1958) pp. 277-305, who argues that such distinctions between Europe and Britain have tended to be exaggerated.

interventions by the State particularly in matters associated with economics, trade and labour. This issue is taken up in greater detail in Chapter Six.

The type of individual that Foucault identified as being linked to the political rationality of state power was one that lives, works, produces, consumes and, in the context of war, sometimes dies for the state. In other words, the individual was relevant in so far as his actions could introduce change (either positive or negative) into the state. As Foucault saw it, this marginalised integration of individuals in the modern state was not obtained through a form of ethical community, as in ancient Greece, but by specific policing techniques which sought to foster civil respect and public morality and thus enable people to be governed as useful individuals.[56] Men and things were envisioned in their relationships to territory, property, production and exchange. Concern was no longer simply with "man" as a juridical subject but with man as a living, active and productive being. The aim of policing was to ensure survival, prolong life so that individuals could live, work, accumulate, and thus enhance the strength of the state. This is what Foucault called "bio-politics." It is a positive technique of government that is exercised not by law but by specific, permanent and positive intervention in the behaviour of individuals in order to foster life and increase the strength and vigour of the state.[57]

Thus, says Foucault, the activity of government as an art with its own rationality is constituted through the conjunction of *raison d'etat* and a science of police. It is also linked to a practical pastoral form of

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[56] Foucault, "Political Technology of Individuals," pp.152-3.
[57] Foucault, "Politics and Reason," pp 79-83.

"government of all and each" which was dedicated towards achieving and maintaining secular security and prosperity.[58] Indeed, one of the principal reasons for the strength and durability of the modern state has been its ability to combine, within the same political structures, totalising procedures and rationalities with techniques of individualisation (pastoral power). Moreover, says Foucault, modernity is characterised by an agonism between these two tendencies: the centralising forces of the state and the individualising forces of pastoral power.[59]

According to Foucault, the emergence in the late twentieth century of Western struggles, such as feminism, gay rights, ecology and cultural identity, which in his view "question the status of the individual" can be related to the development, since the sixteenth century, of the state as a modern and sophisticated structure which has the capacity to integrate individuals rather than developing above or ignoring them. Formation of the "state"[60] is, therefore, an important episode in the history of the government of individuals "by their own verity."[61] This marginalised integration is, however, conditional on individuals being "shaped in a new form and submitted to a set of very specific patterns."[62] These recent struggles represent for Foucault a rejection of both the idea of the universal self, by asserting the right to difference; and the ideal of a radical atomistic individualism, which serves to separate the individual from the community and force her to fend for

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58 Gordon, "Governmental rationality," p. 14.
59 Foucault, "Politics and Reason." p. 60.
60 The concept of the "state" as an independent entity is one which Foucault constantly problematises. See, for instance, "The Political Technology of Individuals," p.161 where he describes it as the "coldest of all cold monsters."
61 Foucault, "Politics and Reason," p. 71.
62 *Ibid*, pp.71-72.

herself. In short, he sees them as overt and robust examples of resistance against what he calls the "government of individualisation;" as struggles against the totalising procedures of the state and individualising practices of "pastoral power" which are, for Foucault, characteristic of the modern period.[63]

Linked to the establishment of the new art of government were two essential and interconnecting processes: the introduction of economy into political practice and the widespread demographic expansion that occurred in the eighteenth century. These two processes intersect through the problem of population.[64] In order to govern the state it was necessary to establish and apply economy at the level of the entire state and this entailed exercising towards its inhabitants, wealth and behaviour "a form of surveillance and control as attentive as that of the head of a family over his household and his goods."[65] Population became the ultimate end of government; the pivot around which political economy and political knowledge developed. Knowledge of the population became essential for good government.[66] Thus population was not conceived as a "collection of subjects with rights" but was analysed, on two levels, as an aggregate of elements: at the macro level as a "species;" and at the micro level as a field for

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[63] Foucault, "The Subject and Power," p. 211-212. The techniques of pastoral power have their own complex history of emergence, which Foucault traced. See especially "Politics and Reason." Pastoral power is a modality of power, which had as its target the spiritual "welfare" of each individual member of a "flock" throughout its entire life. Modern welfare and social security programs, public health programs, superannuation and life insurance are obvious contemporary examples of secularised modalities of pastoral power. See Foucault, "Social Security" in ***Politics, Philosophy, Culture***, pp. 159-177, where he discusses the "perverse effects" of modern social security and welfare programs.

[64] Indeed, as we shall see in Chapter 6, the displacement of the family through new economic processes was one side effect of commercial society which caused Adam Smith a great deal of pain and anguish.

[65] Foucault, "Governmentality," p.92.

[66] ***Ibid***, p.99.

intervention through the medium of law and, more importantly, through technologies of self which sought changes of attitude in the manner of acting and living.[67]

Importantly, says Foucault, the style of governing in Europe since the eighteenth century is not to be understood as one according to which the individual has becomes increasingly "obedient." Instead a more rational and economic readjustment has been sought between productive activities, resources of communication and the play of power relations. Government was not related solely to political structures or the management of states, but also designated the way in which the conduct of both individuals and groups might be directed. The point he seeks to stress is that government of men by men in whatever form it takes requires a certain type of rationality and an individual who is able to act in one way rather than another.[68] It does not involve instrumental violence. Government of men by other men is not warlike or juridical, but an agonistic relation in which freedom as immanent practice (understood as a field of possibilities) is an element. To govern in this sense is to structure the possible field of action of others and action on the actions of self and others is government.[69] Hence Foucault developed an interest in liberalism as a set of governmental practices.

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[67] Foucault, "Security, Territory, and Population," p. 70.
[68] To be understood perhaps in the sense that Paul Patton suggests as a "thin subject." See "Foucault's Subject of Power," ***Political Theory Newsletter*** 6(1994): 60-71.
[69] Foucault, "Subject and Power," p. 219.

4. A Liberal Art of Government

Foucault sought to analyse liberalism not as a theory, ideology or form of social representation, but as a practice or way of doing things that is oriented towards certain objectives and which seeks simultaneously to regulate itself by means of a sustained reflection on the "economy" of that practice. Liberalism is analysed as a principle and method for rationalising the exercise of government that obeys the "internal rule of maximum economy." In other words, the exercise of government begins with an assumption that government - understood not as the institutions of government, but as the activity that consists in governing and directing human conduct, in the framework of and using the instruments and institutions of the state - cannot be its own end. Government does not have its own reason for existing and its maximisation should not be its guiding principle. It is on this pivotal point that liberalism can be said to break with "reason of state," functioning instead as a critique of state reason, and the techniques associated with police science, which operated according to the principle that there was too little government. Liberalism resonates with the suspicion that there is always too much government and seeks perpetually to scrutinise the need for state intervention and activity. Thus, radical critique is integral to the liberal art of government, enquiring not simply as to what are the best (or least costly) means of achieving desired objectives, but also as to the possibility and "lawfulness" of such schemes and whether, in fact, they violate certain "limits."[70] In short, Foucault has suggested that liberalism be seen as a "form of critical reflection on governmental practice" whose central

[70] Foucault, "The Birth of Biopolitics," *in Ethics: Subjectivity & Truth*, p. 74.

question of "too much government" has been either explicitly or implicitly articulated in Europe since the eighteenth century. It is a question that he identified as having appeared first in England.[71]

In other words, liberalism is not so much a project, dream or utopia, which is either realised or unrealised, but more a mode or practice of government which embodies a critique of that practice. It is a tool which performs several critical functions and this is what accounts for its "polymorphism and its recurrences." So liberalism is found in different but simultaneous forms as a "regulative scheme of governmental practice" and as the "theme of a sometimes-radical opposition." As Foucault acknowledges, these multiple uses of liberalism were particularly characteristic of British political thought at the end of the eighteenth and beginning of the nineteenth centuries.[72]

Foucault identified the "subject of interests" as a key element in the process whereby earlier modes of government were outflanked, thereby laying the conditions of possibility for a liberal art of government. Specifically, he says, this figure served to destabilise rationalist and juridical accounts of man, that had possessed wide currency in sixteenth and seventeenth-century thought, and to create the conditions that made possible a renewal of governmental reason outside the framework of sovereignty and state reason. In other words, Foucault is saying that the emergence of a liberal art of government, based on the subject of interests, was crucial in breaking with government located around "reason of state" and mercantilism.

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[71] *Ibid*, p. 77.
[72] *Ibid*, pp. 75-6.

As Foucault explains, early arts of government were linked, during the sixteenth and seventeenth centuries, firstly to territorial monarchies and then to the themes of *raison d'etat* (reason of state) and the static protection-oriented economic model of mercantilism. These obstacles served to block the development of early arts of government.[73] But in the eighteenth century a liberal art of government was able to outflank these blockages, finding "fresh outlets" by relocating the economy on a different plane, inventing the domain of civil society and refocusing the population problem.[74] Foucault saw this approach culminating in the work of Adam Smith.

The central problem was that the multiplicity and fluidity that characterised the subject of interests (there are multiple individuals each pursuing their own interests) was incompatible with the static and totalising unity of the juridical model which was located around the problems of sovereignty, legitimacy and obligation. It was not that the subject of interests constituted a displacement or eradication of the juridical mode of subjectivity, but rather that it established an 'agonistic" interplay between two constellations of interacting discourse.[75] Foucault sees liberalism having its beginning in the eighteenth-century confrontation with this problem.

The key role liberalism played was in "inventing" the complex domain of civil society in which the dual identities of economic and juridical man could be accommodated. This is exemplified in the importance to liberalism of economic liberty and the rule of law, which were seen as

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[73] Foucault, "The Political Technology of Individuals," Pp. 147-151.
[74] Foucault, "Governmentality," pp. 96-99.
[75] Colin Gordon, "Governmental rationality," p. 22.

laying down the conditions of possibility for prosperity and order at the levels of the self and society. As Foucault puts it "...one of the great discoveries of political thought at the end of the eighteenth century - was the idea of society..." which was not simply a territory or sum of legal subjects, but a "complex and independent reality" with its own laws and "mechanisms of disturbance" with which government had to deal.[76] Foucault identified Adam Smith, Adam Ferguson, David Hume and Montesquie as key thinkers in this regard. From the perspective of this thesis we can add the names of Bernard Mandeville, Lord Shaftesbury and Frances Hutcheson. Smith and Ferguson were especially relevant to Foucault's analysis. In broad terms, Smith sought to extend, to the general constitution of society, the notion that private economic interests are the motors of public prosperity and welfare, while Ferguson gave clear expression to an idea, which already had considerable currency at the time, that society makes itself.[77] Ferguson refused to debate the idea of an "origin" to society, positing instead a view that to be in society is simply the "physical state of the species" and that society is as old as the individual.[78] That is, we are always already in a social context or, in Heideggerian (and similarly anti-Cartesian) terms, being-in-the-world is always a hyphenated, relational state of "being-with."[79] According to this perspective society is not the result of a historical founding act such as a covenant, contract or promise, but an evolutionary process that develops from the tension between two forms of interest: the interested interests of economic

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[76] Foucault, "Space, Knowledge & Power," p. 337.

[77] There is a long history of evolutionary thought in Britain associated with theorists of the Common Law, such as Sir Edward Coke, Sir Mathew Hale and William Blackstone. This was rendered explicit in eighteenth-century political thought, particularly by Bernard Mandeville, David Hume and Edmund Burke. This issue will be dealt with in more detail in Chapters 3, 4 & 5.

[78] Ferguson, *Essay on the History of Civil Society*, p. 6.

[79] Heidegger, *Being and Time*.

egoism and the disinterested interests of the sentiments. As we shall see in Chapter Four, Bernard Mandeville played a significant role in developing the evolutionary view of society.

From this perspective liberalism can be seen as a critique of government, which is linked to the problem of society. In response to the liberal question of why government was necessary at all, the answer was that one governed on behalf of society. "In the name of society an attempt will be made to know why there is a necessity for government, when it is not needed at all and where its intervention would be useless or harmful."[80] Hence the linkage between the liberal art of government and the new problematic of "society." It is on behalf of society that one needs to determine why there needs to be government, what needs to be governed and what needs to be left alone: establishing what can be called the "freedom-regulation" problem. Whereas the practice of government tied to state reason and mercantilism implied maximisation in the interest of the state, liberal thought began with society, which was located in a complex relationship of exteriority and interiority with respect to the state. Society was seen therefore as both the precondition for liberalism and its telos, thereby making possible a new and distinctive technology of government which functioned as both a practice of government (governing through institutions) and a critique of that practice.

Central to the new liberal art of government, says Foucault, were the theory of political economy and the "reality" of the market. Political economy was used by both Smith (and the Physiocrats) to break away

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[80] Foucault, "Birth of Biopolitics," p. 75

from mercantilism and the hegemony of "state reason;" and the market functioned as a "test" against which the excessive effects of government could be identified and measured. By using it as the measure of too much government, economics effectively became the measure of the quantity and effectiveness of governmental action.[81]

Consequently, Smith and the Physiocrats represent two stages in the "revolution" brought about through political economy. In their different ways they used the principle of *laissez-faire* to mount a critique of state reason, claiming that attempts to govern reality through rational, planned programs were excessive and unnecessary because social reality possessed natural mechanisms of self-regulation which could be harmed or distorted by the "impertinent obstructions" of human reason. In this respect the collective good is in principle incalculable – human knowledge and wisdom are inadequate for such a task. Thus attempts to superintend and direct individual actions on the basis of feeble human faculties are most likely to be harmful. *Laissez-faire* was seen, at least by Smith, as governing with the natural flow of things and people that involves the unrestricted pursuit of individual private interests (in the economic sphere) which spontaneously converge to produce the general or public good. Smith's model, that pre-supposed the intrinsic invisibility of the connection between individual self-interest and collective prosperity, functioned as a critique and extension of the more overtly rendered, technical and limited Physiocratic model[82] which was based on the overriding principle that agriculture and land were the only sources of national wealth. Yet both

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[81] *Ibid.* p.76
[82] *Ibid*

showed that the wealth of the nation depended on the free activity of individuals. These issues will be given greater attention in Chapter Six.

For Foucault, Smith and the Physiocrats were theoreticians of economy and power and their economic analyses functioned as both critique and construct, serving to criticise the way society was governed in order to propose another kind of government and different forms of power relations in society. Their analyses were also instrumental in reframing the "population" problem in terms of the "population-wealth" problem. Instead of being depicted simply as a collection of legal subjects inhabiting a territory, or a mass of "human arms" intended for labour or war, population was seen as a set of elements connected with the general system of living beings that are "naturally" dependent on a multiplicity of "non-natural" factors which may be altered artificially, such as the accumulation, circulation and distribution of profits. The working out of this problem in its various aspects of taxation, scarcity, depopulation, indolence and beggary, constituted one of the conditions for the formation of political economy, which developed when it was realised that the "resources-population" relationship could not be fully managed through a coercive regulatory system that would tend to increase population density in order to augment resources.[83] There was, instead, a new awareness that the existing population could be more effectively used. By becoming more productive and innovative, through art and technology, the population could make more efficient use of resources thereby securing the surplus above subsistence

[83] Foucault, "Security, Territory, Population," pp. 69-70.

necessary for the prosperity and welfare of the nation without the need for excessive regulation or direction.[84]

Thus we can see how political economy was integral to the new liberal art of government that was based on passions and interests and which involved a new figure of political and social subjectivity. This new figure was to become both a partner of government - in as much as public order and prosperity are brought about through the pursuit of individual interests - and its object – conduct and morality need to be worked upon and increasingly regulated. The paradox being, however, that the ideal of liberal conduct is for it to be self-regulating. In other words, it is an art of government that is grounded upon a grid of self-regulating exchanges which operate at the economic level, through the mechanism of the "invisible hand," and the moral level, through an ethics of self-command. Consequently, the liberal art of government and the liberal subject (of interests) are very different from those based on sovereignty, raison d'etat and a science of police.

Foucault suggests that since the eighteenth century, the problems posed to governmental practice by the phenomena of population and bio-politics cannot be disassociated from "liberalism," which was the framework of the political rationality within which they appeared and assumed importance. For it was in relation to liberalism that such problems took on the character of a challenge. In a system that was anxious to have the respect of legal subjects and to preserve the spirit of individual initiative at its heart, how were the problems associated with

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[84] E.A. J. Johnson, ***Predecessors of Adam Smith: The Growth of British Economic Thought*** (New York: A M Kelly, 1960) pp. 222-7.

the phenomenon of "population" addressed? "On behalf of what and according to what rules can it be directed?"[85]

This continues to be one of the key problems facing contemporary liberalism: whether a "free market" is a fragile mechanism requiring support and intervention, particularly in the social sphere; or whether interventions constitute excessive impediments to the operation of the "free market" which necessarily create distortions inevitably leading to further interventions, thereby threatening liberty.

To summarise, instead of taking the state as its point of departure and government as the means to its end, liberalism began in the eighteenth century with the notion of society, which was understood to be in a complex relationship to the state. From this position government was considered as that which must be limited to allow maximum freedom for society. The notion of society as both a pre-condition and telos made it possible to displace the question of "how the most government can be achieved at the least possible cost" with the question "why it was necessary to govern at all." Thus the idea of society made possible the development of a technology of government that was based on the principle that there was an excess of government in terms of both structure and practice. It also generated the further question of what objectives, if any, ought government to pursue with regard to society in order to justify its existence. Thus, says Foucault, the distinction between state and civil society should not be characterised as a historical universal but as a contingent "form of schematization characteristic of a particular (liberal) technology of government."[86]

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[85] Foucault, "Birth of Biopolitics," p. 73.
[86] *Ibid*

> *What would need to be studied now, therefore, is the way in which the specific problems of life and population were raised within a technology of government which, without always having been liberal – far from it – was always haunted since the end of the eighteenth century by liberalism's question?* [87]

This was the question identified by Foucault as requiring further study. To this end he singles out for analysis two contemporary examples of liberalism: German or Ordo-liberalism from 1948-62, and the American neo-liberalism associated with the Chicago School. Both these schools of economic thought presented themselves as offering a critique of the "irrationality peculiar to 'excessive government' and as a return to a technology of 'frugal government,' as Franklin would have said."[88]

In the German context the liberal critique was directed at the excesses of Nazism and the regime of war as well as at a type of directed and planned economy which developed from the years 1914-18. In this sense, says Foucault, the Ordo-liberals were close to the Viennese economists, those such as Hayek, von Mises, Euken and von Rustow, who had conducted their critiques on three main levels: of Soviet socialism, National Socialism and Keynsian interventionism. In both cases the single adversary was perceived to be "a type of economic government systematically ignorant of the market mechanisms that were the only thing capable of price-forming regulation."[89]

American neo-liberalism, on the other hand, developed in reaction to "excessive government" associated with the politics of the New Deal, the war effort and the economic and social programs initiated and

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[87] *Ibid*, p. 79.
[88] *Ibid*, p. 77.
[89] *Ibid*, p. 78.

supported by post-war Democratic administrations. Like the German liberals, American neo-liberals, such as Milton Friedman, identified as the main dangers economic interventionism, excessive administration, the inflation of governmental apparatuses and the coagulation of power mechanisms, all of which they believed would lead in turn to new economic distortions, thereby necessitating further intervention. While the German liberals concurred with the neo-liberal view that market regulation of prices was the only basis for a rational economy, they saw this as a fragile mechanism that required support, management and social intervention (in the form of a fairly extensive welfare net) in order to make it work.[90] American neo-liberals, however, were far more libertarian as they sought to extend the market rationality throughout society to non-economic spheres.[91]

Foucault's identification of Hayek as a key twentieth-century liberal thinker leads us back to the central theme of this thesis, which is to chart the trajectory of British thought which gave rise to the neo-liberal subject of passions and interests. Before we embark on this journey, however, it is necessary to give greater consideration to the complex body of thought that is liberalism. This task is undertaken in Chapter Two.

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[90] In this sense the German liberals differed from those in the Viennese School, such as Hayek, who, as we will see, thought social justice or welfare was a "mirage."
[91] *Ibid*, pp.78-9.

CHAPTER TWO
The Complex Topology of Liberal Thought

Liberalism has been, in the last four centuries, the outstanding doctrine of Western Civilisation. Harold Laski[1]

What may now be meant by the word 'liberal' is anyone's guess. Michael Oakeshott[2]

Introduction

This chapter seeks to fulfil several objectives. First, it conducts a survey of the complex terrain of liberal political theory, which demonstrates the difficulty of locating a definitive Liberalism and offers a range of interpretations from key thinkers and commentators in the field. Second, it seeks to explore the distinctions between "British" and "European" versions of liberalism, noting differences in the status accorded the individual and in the relative roles ascribed to reason and freedom. In this context three key interpretations of the liberal self are offered, each of which have continuing relevance to liberalism in its various contemporary guises. Third, the chapter considers the freedom-regulation problem in the context of attempts made to rescue liberalism through the New Liberalism of T. H. Green, L. T. Hobhouse and John Maynard Keynes, and the subsequent demise of British liberalism.

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[1] Harold Laski, *The Rise of European Liberalism: An Essay in Interpretation* (London: Allen & Unwin, 1936) 1962 ed. p.5.

[2] Michael Oakeshott, *Rationalism in Politics and Other Essays* (Indianapolis: Liberty Press, 1991) pp.439-40.

Finally, it deals with the revival in the 1970s of Liberal political theory, which took two main forms. First, the debate over justice, inspired by Rawls' ***Theory of Justice*** (1971), which provoked a vociferous "conversation" between Individualists and Communitarians, that has itself become the subject of analysis and critique. Second, the rehabilitation of Liberal political economy, as exemplified in the work of F. A. Hayek and Milton Friedman, which intimated a return to the eighteenth-century classical liberalism of Adam Smith and David Hume, amongst others, and marked a rejection of the New Liberalism of Green, Hobhouse and Keynes. It should be noted, however, that some aspects of the "New" Liberal school have received a strange afterlife in Communitarian thought and the "Third Way" of Anthony Giddens.[3] The chapter concludes with an analysis of the work of Hayek, whose critique of "constructivist rationalism" and endorsement of an evolutionary approach to social order, shows why it is important to re-evaluate the contribution made by Mandeville, Hume and Smith to the formation of a liberal self which assumes a paradoxical stance in relation to the principle of freedom and the dilemmas of regulation.

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[3] Anthony Giddens, ***The Third Way: The Renewal of Social Democracy*** (Cambridge: Polity Press, 1998).

Liberalism: Towards a Definition

There are not many topics or issues, within the vast and heterogeneous body of literature devoted to Western liberal political thought, upon which theorists and commentators can be said to agree. Except, that is, when it comes to locating a definition that effectively "captures," "enframes," or describes what might be called the "essence" of liberalism. On this matter there appears little disagreement: it is an exceptionally difficult task. Indeed, the most striking thing about the liberal tradition, wrote Bullock and Shock in 1956, is its "intellectual incoherence."[4] More recently, John Dunn has described contemporary liberal theory as "an array of shreds and tatters of past ideological improvisation and highly intermittent political illumination."[5]

A brief survey of some aspects of liberalism's heritage serves to underline this difficulty, indicating that the liberal tradition is indebted to a diverse, complex and often conflicting array of political and intellectual currents. Liberalism can be said to owe intellectual debts to Stoicism and Christianity. It has been influenced by the philosophical traditions of both rationalism and empiricism, sometimes exalting the place of reason and at others seeking to humble reason's claims. Liberal moral and political principles have been grounded variously in theories of natural law, natural rights, autonomous reason, benevolence and utility which have, at different times, sought

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[4] Alan Bullock & Maurice Shock (eds) ***The Liberal Tradition: From Fox to Keynes*** (London: Adam & Charles Black, 1956) p. xix.

[5] John Dunn, ***Rethinking Modern Political Theory*** (Cambridge: Cambridge University Press, 1985) p. 10.

support from both religion and science.[6] In addition, like most political and intellectual currents, liberalism has taken differing forms in the various national cultures in which it has flourished.[7]

The diversity of views embodied within the liberal tradition has led some to suggest that there is not one but many liberalisms linked only by loose "family resemblances."[8] In one of his earlier commentaries on liberalism, John Gray cautioned against such an interpretation. While it displays a "rich historical diversity," he says liberalism possesses distinctive features that mark it off from other modern intellectual traditions and associated political movements. Common to all variants of liberalism, he suggests, is a distinctively modern conception of man and society: one that is individualistic in asserting moral primacy of the person against any claims of social collective; egalitarian in that all men have the same moral status which must be reflected in political and legal orders; universalist in affirming the moral unity of humanity and thereby according secondary importance to specific historic associations and cultural forms; and meliorist in affirming the improvability of all social and political institutions and arrangements. Thus, despite its diversity, liberalism should be understood, according to

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[6] See John Gray, ***Liberalism***, 2nd Ed. (Buckingham: Open University Press, 1995) for a concise study of the history of liberalism and Anthony Arblaster, ***The Rise and Decline of Western Liberalism*** (Oxford: Basil Blackwell, 1984) for a more comprehensive coverage of the field.

[7] See Richard Bellamy, ***Liberalism and Modern Society: An Historical Argument*** (Cambridge: Polity Press, 1992) which charts a complex multifaceted story of the evolution of modern liberalism in the various countries of Western Europe and the United States. See also Maurice Cranston, ***Freedom: A New Analysis*** 3rd Ed. (London: Longmans Green, 1967) pp.47-77, in which he points out some of the differences between English, French, German and American "liberalisms."

[8] See for example David Owen, ***Nietzsche, Politics and Modernity: A Critique of Liberal Reason*** (London: Sage Publications, 1995) pp.4-5.

Gray, to constitute a single tradition of political and moral thought by virtue of these four elements that compose the liberal conception of man and society. For all its variability liberalism remains an integral outlook rather than a loose association of movements linked by family resemblances. Moreover, it is only by conceiving liberalism as such that thinkers as diverse as John Locke, Immanuel Kant, John Stuart Mill, Herbert Spencer, John Maynard Keynes, F. A. Hayek, John Rawls and Robert Nozick can be seen as embodying different branches of a common lineage.[9]

There are those who follow the view, expressed by Mill, that modern liberalism is simply a contemporary expression of a tradition of "free thinking and antinomianism" that extends back at least as far as Socrates.[10] This view has been challenged, however, by John Pocock, who considers the view that liberalism has a long history which extends back into the ancient world is little more than a Whig myth. Instead, he suggests liberalism should be seen as a more discrete episode in the history of Western thought

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[9] John Gray, ***Liberalism***, pp. xii-xiii. See also D. J. Manning, ***Liberalism*** (New York: St. Martin's Press, 1976) pp. 57-80 in which he makes a case for the "unity of liberal ideology" in respect to the organisation of good government. In his view "...neither national boundaries nor time isolated the major liberal writers from one another." p. 59 Gray has since reformulated his views (several times over) on the unity/dis-unity of the liberal tradition. See for example "Postscript: After Liberalism" in ***Liberalisms: Essays in Political Philosophy*** (London: Routledge, 1989) pp.239-266 and ***Post-Liberalism: Studies in Political Thought*** (London: Routledge, 1993) especially pp. 283-328. Despite these reformulations, Gray continues to retain a commitment to the core liberal values outlined above and to the institutions of civil society which have a long history within the tradition of liberal political thought.

[10] See for example E. A. Havelock, ***The Liberal Temper in Greek Politics*** (New Haven: Yale University Press, 1957); K.R. Popper, ***The Open Society and Its Enemies*** (London: Routledge and Kegan Paul, 1945); F.A. Hayek, ***The Constitution of Liberty*** (London: Routledge and Kegan Paul, 1960); R. D. Cumming, ***Human Nature and History: A Study of the Development of Liberal Political Thought*** (Chicago & London: University of Chicago Press, 1969). For a more recent interpretation see Quentin Skinner, ***Liberty Before liberalism*** (Cambridge NY: Cambridge University Press, 1998) who offers an account of the influence neo-Roman practices and principles of liberty had on liberal thought.

that began early in the nineteenth century. According to this interpretation, it is wrong to see thinkers such as Locke, Kant, Smith and Mill as exponents of a single tradition of ideas. Indeed, it is Pocock's claim that Adam Smith, Adam Ferguson, and other thinkers of the Scottish Enlightenment, were influenced as much by the traditions of civic humanism and classical republicanism as they were by the early modern precursors of "liberalism."[11] While I shall show in this thesis that Pocock overstates his case with regard to the Scottish Enlightenment figures, I certainly agree that there are substantial differences among "liberal" thinkers.

John Gray suggests that while elements of the liberal outlook can be traced back to the ancient world, and particularly to Greece and Rome, these are best thought of as constituting liberalism's pre-history. The features of the modern liberal movement are rendered more clearly intelligible, he says, within a historical perspective that takes account of the emergence in Europe, during the seventeenth century, of the modern individualist outlook, as well as the various events or crises of modernity that have influenced its development. These crises include the dissolution of European feudalism in the sixteenth and seventeenth centuries; the events surrounding the French and American Revolutions in the late eighteenth century; the emergence of democratic and socialist mass movements during the second half of the nineteenth century, and; the more recent threat to liberal society posed by "totalitarian" regimes.[12] The latest "crises" to emerge,

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[11] J.G.A. Pocock, ***The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*** (Princeton: Princeton University Press, 1975) pp.462-505

[12] Gray, ***Liberalism***, p.xi.

according to Gray, have been the advent of "post-modernity," the deconstructive effects of which, he suggests, have serious implications for liberalism, stripping away its "hubristic" universal pretensions and destroying its foundational claims;[13] and, more recently, the rise of globalisation with its accompanying discontents.[14]

Foucault similarly considered the history of liberalism to be part of the wider problem of "government" which "exploded" in the sixteenth century. During this period there was widespread concern with a myriad of questions related to government. Amongst these concerns were the problems of personal conduct and government of the self that were posed with, inter alia, the revival of Stoicism; the government of souls and lives associated with competing Catholic and Protestant pastoral doctrines; and the problems surrounding the government of the state by the prince or monarch. According to the Foucauldian perspective, liberalism is one response to this constellation of "governmental" problems which arose during that time and which can be located at the intersection of two principal trends: that of state centralisation, brought about through the emergence of the great territorial administrative and colonial states that shattered the processes of feudalism; and that of dispersion and religious dissent associated with the Reformation

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[13] This claim is made most strongly in ***Liberalisms: Essays in Political Philosophy***, p. 262.

[14] See Gray's most recent works, ***Endgames: Questions in Late Modern Political Thought***; (Cambridge UK; Malden Mass: Polity Press, 1997) and ***False Dawn: The Delusions of Global Capitalism*** (New York: New Press, 1998) in which he denounces neo-liberalism, predicting its imminent demise, offering a critique of unrestrained market policies which he argues destroy local community and political sovereignty without political accountability. He sees neo-liberalism as a doctrine based on outdated abstract Enlightenment premises of progress unrelated to human well being, which serve to hinder rather than promote conditions for human flourishing and destroy rather than enhance individual autonomy.

and Counter-Reformation movements which raised the issues of spiritual rule, leadership and eternal salvation.[15]

Pierre Manent argues that the content of modern liberalism derives from a fundamental orientation towards politics that was chosen by early-modern Europeans as they sought to free themselves from the intellectual and spiritual influence of the Catholic Church. In order to adopt this orientation new theoretical materials were required and these were provided, according to Manent's account, by Machiavelli, Hobbes and Locke who set the terms for the modern definition of the subject and object of political action as the bare isolated individual in the state of nature who is devoid of any goals or objectives outside the narrow confines of the self. This negative formulation of the impoverished, atomised, individual, which deprives human nature of any positive qualities that might accord it a larger purpose, is understood within a theoretical frame that simultaneously exalts the role of the state as the only means by which the individual's survival is to be assured and demonises it as a potential threat to independence and individual liberty. For Manent the evolution of liberal theory and practice should be understood as flowing from this original theoretical "choice" with its inherent paradoxes. Consequently, the political difficulties and frustrations which we continue to experience can be traced to the "powerful dilemmas"

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[15] Michel Foucault, "Governmentality" in G. Burchell, C. Gordon & P. Miller (eds), ***The Foucault Effect: Studies in Governmentality with Two Lectures by and an Interview with Michel Foucault*** (Chicago: University of Chicago Press, 1991) pp. 87-88.

instigated through the adoption of the negative liberal stance by early-modern Europeans over three centuries ago.[16]

The search for a definition of liberalism is further complicated by the fact that some interpreters draw a sharp distinction between "Anglo-American" forms of liberalism and "Continental" variants. Bullock and Shock, for example, argue that there is a rich, diverse and continuing tradition of Anglo-American liberalism, that can trace its lineage back to seventeenth-century struggles in Britain for freedom of conscience and the resistance by Parliament to the arbitrary authority of the King. By virtue of this lineage, Anglo-American liberalism can be clearly marked off from "more doctrinaire" Continental varieties, the proponents of which had to fight, in the nineteenth century, for many things, such as civil and religious liberty, rule of law, freedom of the press and the institutions of parliamentary government, limited monarchy and constitutionalism, which were already well established in England by this time.[17] In other words, Bullock and Shock claim there is a British tradition of thinkers, from C. J. Fox to J. M. Keynes, who can be thought of as essentially different from their Continental counterparts, who could be said to include Rousseau, Kant, Condorcet and the Physiocrats.[18] This interpretation adds weight to the thesis that there is a sharp distinction between Humean and Kantian liberalisms.

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16 Pierre Manent, ***An Intellectual History of Liberalism***, Tr. Rebecca Balinski with a Foreword by Jerrold Seigel (Princeton: Princeton University Press, 1994).
17 Bullock & Shock, ***The Liberal Tradition***, p. xx.
18 See also Gray, ***Liberalism***, pp 17-25.

F. A. Hayek also asserts the existence of two distinct Western liberal traditions which he proximately categorises as British and French, whilst acknowledging a significant overlap between the two. The British tradition, which included Mandeville, Hume, Smith, Ferguson, Tucker, Burke and Paley, supported by the French "Anglophiles" Montesquieu, Constant and Tocqueville, were "anti-rationalist," drawing "largely on a tradition rooted in the jurisprudence of the law" rather than on the abstractions of reason. They understood liberty as the product of spontaneity, absence of coercion, the procedures of trial and error, and the evolutionary growth of institutions, morals, language and the law. As such they are counterposed, by Hayek, to thinkers within the French tradition of Enlightenment and Cartesian rationalism. This tradition, which believed modern society to be qualitatively different from what had gone before, justified the use of human reason to remodel institutions and behaviour and understood liberty as the product of planning and rational design and the achievement of collective purposes through organisation. It is represented by thinkers such as the encyclopaedists, Rousseau, the Physiocrats and Condorcet and could also be said to include (at least partially) Thomas Hobbes and the English and American sympathisers of the French Revolution, such as Godwin, Price, Paine, Priestley and Jefferson.[19] The conflict between the two is most sharply evident, for Hayek, in relation to questions of democracy: the British tradition producing "liberal" (limited representative) democracy and the French "totalitarian" or socialist democracy.

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[19] F. A. Hayek, ***The Constitution of Liberty*** (London: Routledge & Kegan Paul, 1960) pp. 55-7. See also Hayek, "Individualism: True and False," in ***Individualism and Economic Order*** (London: Routledge & Kegan Paul, 1949) pp1-32.

In addition, there are difficulties with the way the term "liberal" is employed in contemporary political language. In Britain and Australia, for example, it tends to be mixed with Conservative values and inclines towards classical connotations associated with commitments to the free market and individual liberty. In the United States, however, the term has wider application and is commonly used to distinguish a generally "left" position from a Conservative/Republican stance.

Whatever the interpretive disagreements over questions of lineage and origin, Gray sees modern liberalism receiving its paradigmatic statement in the early nineteenth century writings of John Stuart Mill. Thus, he says, it is in Mill that "the liberal syndrome of ideas" is most explicitly articulated.[20] Indeed, Isaiah Berlin described Mill as "the man who ...founded modern liberalism" and ***On Liberty*** as the "classic statement of the case for individual liberty."[21] Perhaps not everyone would agree with this assessment, for many important liberal thinkers predated Mill.

In any event, Mill's work is seen by some as marking a moment of rupture between "classical" configurations of liberalism that emphasise the principles of negative liberty and "revisionist" variants, exemplified in the "New Liberal" writings of, for example, T.H. Green, Bernard Bosanquet and L. T. Hobhouse, that employ positive conceptions of freedom. Gray has posited

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[20] Gray, ***Post-Liberalism***, p. 285.
[21] Berlin, ***Four Essays on Liberty*** (Oxford: Oxford University Press, 1969) pp. 173-4.

this view himself,[22] although he subsequently "corrects" this interpretation to one which sees the so called "rupture" as insufficient to divide liberalism, at least not uncontroversially, into classical and revisionist varieties.[23] In any event, says Gray, the four key ideas of man and society, identified earlier - individualism, universalism, meliorism and egalitarianism - can be located in Mill's work and have been echoed, in various formations and with varying emphases, by virtually all subsequent liberal writers. Even if all liberals do not explicitly subscribe to these four key ideas, says Gray, they add up to a "system of ideas" that most would find difficult to reject.[24]

Bullock and Shock offer a narrower definition of liberalism's fundamental principles suggesting that there are, in fact, two key ideas recurrent within the liberal tradition - a belief in the value of freedom and a belief in conscience - which can be said to constitute the "twin foundations of Liberal philosophy" and the principal elements of continuity in its historical development. While the scope of freedom has been continually, and sometimes drastically, redefined throughout liberalism's history, to extend the principles of liberty from individuals to encompass minorities and peoples, this is interpreted by Bullock and Shock as a strengthening rather than abandonment of liberalism's "original faith in freedom." Together with a belief in conscience - the view that principle and moral issues ought to count for more than power or expediency - these two values have, they claim, been of enduring importance to the tradition of liberalism since its

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[22] Gray, ***Liberalism*** p. xiii.
[23] Gray, ***Post-liberalism***, p. 285.
[24] ***Ibid***, p. 286. Gray suggests even Pocock can concur with this view.

early modern beginnings.[25] Thinkers such as Hobbes, Hume and to some degree, Smith would, however, probably have had difficulty in accepting this viewpoint.

According to Steven Lukes, a central feature of liberalism is the notion of "political individualism." This is underpinned by a picture of society whose members are thought of as abstract independent rational beings: that is, independent citizens who are the sole generators of their own wants and preferences and always the best judges of their own interests. The key ideas associated with liberal political individualism, says Lukes, include the view that the authority or legitimacy of government derives from the consent of its citizens; political representation is seen as representing the interests of individuals rather than orders, estates or classes; and finally that the purpose of government is confined to protecting individual rights and enabling individuals to pursue their own interests free from interference. Other key "liberal" concepts linked to the notion of political individualism, and thus to the tradition of liberalism itself, claims Lukes, are those of economic individualism or a belief that economic liberty - free trade, spontaneous and competitive activity and the institutions of the market economy and private property - is the indispensable basis of a free civilisation; ethical individualism, which embodies the view that both the nature and object of morality are essentially the province of individual choice; and epistemological individualism which, in both its rationalist and empiricist forms, maintains that the source of knowledge is located in the sphere of the

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[25] Bullock & Shock, *The Liberal Tradition*, pp. liv-lv.

individual - either in the categories of the mind or through sensations and experience.[26] If we were in any doubt, this interpretation should demonstrate the confusion that saturates the various discourses of liberalism! Moreover, there are a number of thinkers, particularly those within the communitarian stream, who would be unlikely to adhere to this interpretation of liberalism's core values.

Anthony Arblaster agrees that liberalism's metaphysical and ontological core is "individualism" and that it is from this premise that the liberal commitments to freedom, independence, tolerance and individual rights are derived. Nevertheless, he is adamant that liberalism cannot be reduced to a fixed and abstract collection of unchanging moral and political values. Instead it should be understood as an "ideology:" a coherent and comprehensive view of the world whose values derive from a specific theory of human nature and society.[27] Indeed, the liberal worldview has, he says, gradually assumed a natural and necessary perspective to the extent that it has become the "dominant ideology of the West."[28]

Thus, while it may be a contentious mode of categorisation, it cannot be denied that liberalism is often understood as a political ideology. Indeed, there are a number of theorists (both liberal and non-liberal) who argue that there is a distinctively liberal way of "seeing the world" and for them liberalism is understood primarily as an ideological mode, interpreted to

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[26] Steven Lukes, ***Individualism*** (New York; London: Harper & Row, 1973) pp.79-124.
[27] Arblaster, ***The Rise and Decline of Western Liberalism***, pp.13-15.
[28] ***Ibid***, p.6-7.

mean a set of implicit beliefs and attitudes which constitute a perspective from which to view the world.

According to Harold Laski, for instance, liberalism is the philosophy or ideology of a "new social class" which "in the period between the Reformation and the French Revolution...established its title to a full share in the control of the state."[29] It emerged as a "new ideology" with a diverse pedigree of ideas that came to "fit the needs of a new world."[30] As such Laski is clearly identifying liberalism, in socio-historical terms, as something that rises and which has reference to a particular social class and a particular period of history.[31] Kenneth Minogue also adopts an interpretation of liberalism as ideology but, unlike Laski, denies a "consistent relation between social class and the holding of liberal...doctrine." Instead, he defines an ideology in terms of its psychological origin in some "mood, vision or emotion" and investigates liberalism according to its "intellectual and emotional dynamics."[32] It is important to make clear, however, that Laski understood the ideology of liberalism both as a habit of mind or "mood" and as a doctrine or political creed. As a mood, he claims, it is critical, subjectivist, anarchistic, a little romantic in temper, taking a negative attitude towards social action and, by virtue of its origins, tending to regard appeals to tradition as reactionary. Liberalism as mood has constantly emphasised

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[29] Laski, ***The Rise of European Liberalism***, p.11.
[30] ***Ibid.*** p. 16.
[31] See R. D. Cumming's study, ***Human Nature and History***, Vol. 1, which examines the development of liberal thought utilising two principal modes of interpretation: various understandings of human nature and historical contextualisation. Cumming situates Laski within the second interpretive category. See pp.2-3.
[32] K. R. Minogue. ***The Liberal Mind*** (London: Methuen, 1963) pp.15-18.

the importance of individual initiative, creativity, innovation and the desire for change rather than sanctioning any forms of uniformity. As a doctrine, it has sought, from its outset, to limit the ambit of political authority and to confine government within a constitutional framework, proceeding by rule rather than discretion; and to discover a system of fundamental rights which the state is not entitled to invade. In Laski's view the doctrine of liberalism can be said to have been historically committed to the ideals of freedom and respect for the claims of conscience. In practice, however, it has, he argues, fallen far short of these ideals. This is because liberalism was the ideology of a particular social class and the freedom it sought and the claims of conscience it aimed to respect, while promulgated in the language of universalism, were in practice generally limited to "men who had the property to defend" them.[33]

Richard Bellamy goes even further. It is his contention that in the West we all tend to speak the language of liberalism. This leads him to suggest that liberalism has, in fact, mutated from an ideology to a "meta-ideology" thereby forming a background theory or set of presuppositions for political thinking across a diverse ideological spectrum. Far from being a sign of intellectual and practical ascendancy, however, this is, for Bellamy, more indicative of liberalism's theoretical and political bankruptcy which has come about, he suggests, because it is no longer plausible to maintain, in modern mass society, what he calls the "social thesis." The concept of social thesis denotes a secularised theory of evolutionary social progress that

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[33] Laski, *The Rise of European Liberalism*, p. 13.

embodied the belief that social development would eventually lead to a natural harmony of interests between society and individual life plans.[34]

Quentin Skinner is another who suggests that liberalism can be thought of in terms of ideology, although he understands the concept in a very different way to Laski, Arblaster or Bellamy.[35] According to James Tully's interpretation, Skinner posits a view that the political thought of modernity has comprised two principal ideologies: a dominant "juridical" ideology, which has embraced the social and political theories of Liberalism, Conservatism and Marxism, and a subordinate counter-ideology of Civic Republicanism.[36]

On Skinner's interpretation, therefore, liberalism is but one facet of a dominant juridical ideology which, as the product of four hundred years of thought and action, has constituted the character of modern political and legal institutions and now "governs our political thought and action in its

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[34] Bellamy, ***Liberalism and Modern Society.***

[35] See Quentin Skinner, ***The Foundations of Modern Political Thought, Vol.*** 1, ***The Renaissance*** (Cambridge: Cambridge University Press, 1978) and James Tully, ***Meaning and Context: Quentin Skinner and his Critics*** (Cambridge: Polity Press, 1989) p. 9 for an analysis of Skinner's understanding of ideology - "a language of politics defined by its conventions and employed by a number of writers" - which is central to his project of contextualisation, that is of situating (great) political texts, written or used in the same period and addressed to the same or similar issues and sharing a number of conventions (such as shared vocabularies, principles, assumptions and criteria for testing knowledge claims) in a linguistic or ideological context.

[36] His most recent work on this is ***Liberty before Liberalism,*** cited above. The juridical ideology can be said to represent the state as an "independent, territorial monopoly of political power" with political power understood here as the "...right to kill in order to enforce universal rule of either objective right or subjective rights, such as (human) rights, natural law, common good, tradition, majority will, modernisation, or the constitution..." and is exercised either directly by a sovereign body (monarch, elite or community) or indirectly by a representative body (parliament, estate, councils) and through the rule of law which is limited by the standard of right.

sovereign splendour."[37] This form of analysis is seen, by Skinner and Tully, as providing a key to our self-awareness as modern political selves, who as "political subjects with individual rights" are subject to this modern sovereign.[38] Armed with this awareness we can utilise the intellectual and practical resources of the subordinate counter-ideology of civic republicanism, which Skinner suggests are available, despite having been overlaid and overwritten by the dominant juridical ideology, to help us articulate different positions in contemporary politics.[39]

John Gray suggests that liberalism; perhaps more than any other Western intellectual tradition, except for Marxism, has sought to "transform itself into an ideology." This whole project is deemed by him to have failed. Liberal ideology, whether framed in the context of "argumentative strategies" that seek to ground themselves in utilitarianism, contract theory, rights, or conceptions of human flourishing, is beset with "incoherencies" and "indeterminacies." The "universal principles upon which it is based dissolve," says Gray, "upon analysis into indeterminacy, and do not survive the critique of value pluralism."[40]

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[37] Tully, ***Meaning and Context***, pp.17-18. Tully points out the similarity between Skinner's approach and that of Foucault especially with regard to the latter's analytic of the juridico-discursive model of power.

[38] ***Ibid***, p.19.

[39] James Tully, John Pocock, Richard Tuck and John Dunn work within a similar field to Skinner in seeking to write a new history of political theory and collectively they are known as the Cambridge School.

[40] Gray, "Postscript: after liberalism" in ***Liberalisms: Essays in Political Philosophy***, pp. 239-40.

There are many liberals, however, who categorically reject any suggestion that liberalism is an ideology. Thinkers such as Karl Popper and Isaiah Berlin consider ideology as an explicit political creed, which is associated with forms of political religion and totalitarianism. One of liberalism's principal merits, in their view, is the fact that it is non or even anti-ideological.

The difficulty of defining an essential liberalism and of tracing its lineage back to a pure origin should now be patently clear. What is also very clear is that, despite the alleged ruptures, breaks, controversies and doctrinal disputes that are part of liberalism's history, liberal economic and political theories continue to have broad and persistent influence, in one form or another, within most contemporary Western societies as well as in other parts of the globe. Indeed, Richard Bellamy suggests that, given the apparent general acceptance within these societies of liberal conceptions of democracy and the market, and wide employment of the liberal language of rights, freedom and equality, "...liberal concepts have threatened to become the only legitimate form of political discourse....(f)rom New Right Conservatives to Democratic Socialists, it seems we are all liberals now."[41] The explanation for this lies, according to Bellamy, in the fact that nineteenth-century liberal ideals and politics and social and economic systems have had predominant influence in fashioning states and creating institutions and frameworks within which most in the West continue to live. Nevertheless, this does not justify Francis Fukuyama's triumphant

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[41] Bellamy, ***Liberalism and Modern Society***, p.1 and p. 217.

proclamation, following the collapse of Soviet and European communism, that liberalism as an ideal cannot be improved upon and constitutes the "final form of human government" and the "end of history."[42]

On the contrary, the universalisation of liberal language and concepts indicates for Bellamy, not liberalism's triumph but its denigrated status as an outdated socio-political and economic theory that is no longer part of the dynamic of history. By presenting itself as the glorious culmination of an historical process liberalism signals its insecurity and this act should be interpreted as a desperate attempt to circumscribe and contain the social forces generated by advanced industrial societies that threaten to undermine it.[43]

According to John Gray, in one of his more recent personas, as a self-proclaimed "post-liberal" who rejects liberalism's hubristic universal pretensions, liberalism continues to have pre-eminent importance in the West despite its inability, in a post-modern world, to ground itself on

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[42] Francis Fukuyama, ***The End of History and the Last Man*** (London: Penguin, 1992) p. xi and pp. 338-9.

[43] Bellamy, ***Liberalism and Modern Society***, p.2. Jacques Derrida has mounted a similar, but more strident, critique of Fukuyama's thesis, characterising it as a particularly "noisy" example of anti-Marxist self-congratulatory evangelism whose eschatological and apocalyptic themes of the "end of history" and the "last man" are now irrelevant questions that flow from a particular outdated conception of history. In pondering reasons for the clamorous reception in the West, several years ago, of Fukuyama's book, Derrida concludes it to be an "ideological showcase" and a "...fine example of victorious capitalism in a liberal democracy which has finally arrived at the plenitude of its ideal, if not of its reality." In other words, it is celebrated by all those who seek to celebrate the triumph of liberal capitalism in order to obscure the evidence of its fragility, failures and dangers and who seek to expunge the ghost of Marx and his critique of Capitalism and liberal democracy which, for Derrida, continues to haunt contemporary political thought. Jacques Derrida, ***Spectres of Marx: The State of the Debt, the work of Mourning and the New International.*** Trans. Peggy Kamuf, Intro. Bernd Magnus & Stephen Cullengberg (New York & London: Routledge, 1994). See especially pp. 14-16 and 47-56.

traditional theoretical foundations, because of its strong commitment to the historic inheritance of a civil society whose institutions protect liberty and permit civil peace. While he does not seek to endorse Fukuyama's self-congratulatory polemic and, indeed, concedes that liberal regimes cannot claim to be uniquely legitimate forms for human society, Gray nevertheless predicts that "...nearly all forms of government that allow for commodious living will...be ones that shelter the institutions of civil society..." which will, in turn, be animated by the "practice of liberty."[44] In other words, even in a "post-liberal" world, liberal civil society continues to be the best socio-political form for contemporary cultures which harbour a diversity of conflicting conceptions of the "good."

For Anthony Arblaster, the persistent influence of liberalism is marked more by the recent revival, in the Western world, of economic or neo-liberalism that followed the perceived failure of the Keynsian project. For him this signifies the inherent interrelationship between liberalism and the market. As long as capitalism survives, so will liberalism in one form or another either in social-democratic formulations which tend to flourish during periods of growth, prosperity and stability; or in versions committed to classical *laissez-faire* ideals which have a tendency to be retrieved in moments of crisis.[45]

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[44] Gray, ***Post-Liberalism***, p.284.
[45] Arblaster, The ***Rise and Decline of Western Liberalism***, pp. 6-7.

From this brief survey two key ideas emerge as having persistent currency within discourses of liberalism: an emphasis on the individual or self and a commitment to freedom, and, by extension, the free market in goods and services. Given the multiple interpretations of liberalism surveyed in this chapter, it should come as no surprise to learn that there are a number of different ways that the notion of the individual or self has been conceived in liberal thought. As a consequence the commitment to freedom has also taken different forms. Another recurring theme in liberal discourse is the role ascribed to reason, and it is to a consideration of these issues that I will now turn.

Freedom, Reason and the Liberal Self

Three Models of the Liberal Self

There are three main views of the liberal self that are of continuing relevance in the sphere of liberal political discourse. First, what I will call the "unencumbered self," whose heritage resides in the Kantian/de-ontological tradition, which posits the existence of a transcendental self who is prior to and independent of society and who possesses certain rights merely by virtue of being a human being. This view finds expression in a politics of rights, perhaps most explicitly expressed in recent times through the work of John Rawls. Second, what can be called the "situated self," a view, expressed most overtly in contemporary communitarian theories, which draw on a long history of defining the individual as a being constituted through society. Finally, what I will call the "Humean self," a being who is moved by the multiple internal forces of interest and passion and governed through habit, education and custom as well as certain social artifices (justice and the

rules of etiquette), and the rule of law. While the deontological and communitarian versions of the self have been the object of copious commentaries, particularly in North America since the publication of Rawls' *Theory of Justice*, the Humean self has, by comparison, received relatively scant consideration. The lack of recent theoretical attention accorded this figure is a particularly significant oversight given its status as, arguably, the paradigmatic model of selfhood in contemporary Western liberal democratic societies.

A. The "Unencumbered" Kantian Self

Prior to Kant, Hume had offered a portrait of the self as an empirically conditioned bundle or collection of different perceptions that are constantly in flux.[46] Against this view, Kant argued that there must be some unity of the self, prior to, and independent of, experience in order to account for the continuity of the self through time. According to the Kantian view, therefore, the individual comprises an empirical self, one which is affected and moved by the passions, interests, senses and laws of nature; and a transcendental self, which is capable of exercising an autonomous will. It is this latter self that forms the basis for morality and through which human freedom is possible. In other words, the Kantian individual is constituted as both a subject and object of experience. As an object (empirical self) one belongs to the sensible world where actions are determined by the laws of nature, but as a subject (transcendental self) one also inhabits a super-

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[46] Hume, *A Treatise of Human Nature*, Edited with an Introduction by L. A. Selby-Bigge, 2nd Ed. Revised by P. H. Nidditch (Oxford: Clarendon Press, 1978) pp. 252-3.

sensible world which is independent of these laws. This capacity to be a subject of experience allows human beings to be autonomous; to exercise one's will and to act according to a law which one gives oneself. Only from this standpoint, says Kant, can a human being be said to be free; that is, independent of the laws of nature that apply in the sensible world. If one were wholly empirical, one could not be capable of freedom: exercise of the will would be conditioned by desire, which would, in turn, govern choice. Thus we could not be free. In short, a subject that is prior to and independent of experience is a necessary pre-condition for autonomy and freedom. Only through such complete independence can we be detached enough to choose freely for ourselves unconstrained by the "vagaries of circumstance."[47]

This view underpins the ideal of the Kantian liberal individual who is seen as a fundamental entity, with intrinsic moral value, which exists prior to and independent of the institutions and structures of human society. The sovereign individual is said to possess an autonomous will which forms the basis for self-determination, through which it is possible to conquer one's base instincts and passions and freely choose moral rightness rather than any notion of a good life we might seek to share in common. It is a view of the self that gives priority to the right over the good upon which virtues of justice, fairness and individual rights are based. Consequently, it provides the foundations for a politics of rights and is known as de-ontological liberalism.

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[47] See I. Kant, ***Critique of Pure Reason***, Ed. Vasilis Politis (London: Everyman, 1993).

At the core of rights-oriented liberalism is a respect for individual rights and the principle of neutrality. Individuals are said to have intrinsic moral rights that cannot, or at least should not, be violated by the actions of others and of governments. Human beings hold these rights not on the basis of divine dispensation, convention, common utility or tradition, but because they have a "property"(moral autonomy, human dignity) that constitutes them as bearers of rights. Thus the notions of autonomy, moral equality and universalism are inherent in the idea of moral rights and on this view law and political decisions are only binding to the degree they respect individual rights. With regard to the concept of neutrality, rights-oriented liberals claim there must be neutrality between conceptions of the good because any situated conception of what constitutes the good is likely to be offensive to too many people given the diversity of cultures and interests that exist within modern societies.

According to the Kantian view, the just society is one which seeks to provide, through its constitution and laws, a framework within which citizens can pursue their own values and ends, consistent with a similar liberty for others. In other words, society is understood as being composed of a plurality of goods, aims and interests and is best governed by principles that do not presuppose any particular conception of the good. This is the basis of the liberalism, perhaps most fully articulated by Rawls and indebted for its foundations to Kant. It asserts the priority of right and seeks principles of justice that do not presuppose any particular conception of the good. For Kant this meant supremacy of the moral law, and for Rawls justice as the "first virtue of social institutions." In short, the foundation of

the deontological liberal view is an abstract or "unencumbered self." Such a being is perceived as being more real than society and consequently always the basis or foundation of any liberal political, social or economic theory.

Significantly, this Kantian self has been a paradigmatic figure for liberals oriented towards a politics of rights based on the notion of an unencumbered self. It is a notion of the self that has been challenged, most recently, by a group of thinkers who are known collectively as communitarians.

B. The "Situated" Self of Communitarianism

The basic argument mounted by communitarians against de-ontological interpretations is to deny the existence of a pre-social self. Instead, they posit the situated self, which is understood as one constituted through community and the institutions of society. In so doing they draw on a vast array of ideas about community and the inherent sociability of human beings that stretches back to Aristotle and embraces, inter alia, Cicero's notion of the Roman community of law and common interests; Augustine's community of emotional ties; Thomas Acquinas's idea of the community as a body politic; Edmund Burke's notion of the community as a partnership between the living, dead and future generations; as well as the social theories of Rousseau, Hegel, Marx, T. H. Green and Michael Oakeshott. Hegel is especially inspirational for contemporary communitarians who emphasise the distinction he made between "moralitat" - abstract or universal rules of morality - and "sittlichkeit" - the ethical principles specific to a certain community. In Hegelian terms, the de-ontological or rights-oriented tradition of liberalism can be seen as emphasising the universal "moralitat"

as a higher level of morality that is linked to the notions of the abstract universal individual, as a free rational entity, and the priority of the right over the good; while Hegel and the communitarian tradition have argued that "sittlichkeit" is the higher level of morality and the only way a genuine moral autonomy and freedom can be achieved.[48]

According to the communitarian view, the social is empirically prior to the individual. Thus human behaviour can only be understood as it occurs within cultural, social and historical contexts.[49] Individuals cannot be thought of as abstracted transcendental entities that exist outside the dynamics of a social or community frame.[50] They are always beings who are situated within historical and social contexts in specific communities from which they derive identity, language, concepts and moral categories.[51] The universal norms of dignity and autonomy that de-ontological liberals claim to be grounded in the universal character of humanity are, according to communitarians, embedded in a shared understanding of specific communities. In other words, the basis of moral judgement derives from the community and not from abstract individualism and rights. Thus, for communitarians, the notion of community should not be dismissed as a "good." In fact it is the pre-eminent good privileged over any notion of right.

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[48] Charles Taylor, *Hegel* (Cambridge: Cambridge University Press, 1975) pp. 376-8.

[49] For Marx this understanding would also need to take account of economic and class contexts. For feminists and theorists of difference it would need to embrace issues associated with sexual, racial and ethnic identity.

[50] See Sandel, ***Liberalism and the Limits of Justice*** (Cambridge: Cambridge University Press, 1982) for a full articulation of this position.

[51] See especially Charles Taylor, "Language and Human Nature," in ***Human Agency and Language Philosophical Papers***, I (Cambridge: Cambridge University Press, 1985).

C. The "Humean" Self of Passions and Interests

In contrast to both the Unencumbered and Situated selves, the Humean self can be understood as a bundle or multiplicity of passions. The key problem for proponents of this view of the self is to find a way to govern the potentially dangerous passions without extinguishing the creative capacities and interests of individuals that are vital to the prosperity and civilisation of society. While the passions are dangerous and threaten constantly to overwhelm the individual and destroy society, they are paradoxically intrinsic to furthering the social good. Hence they must be harnessed and governed so that conduct is "directed" towards certain ends that will always ultimately be for the good of civilisation. According to Hume, this passionate and interested being can be governed with reasonable effectiveness by habit, education, law and history as well as by a range of artificial virtues.

As we shall see, a version of the Humean individual has been adopted in a contemporary context by Friedrich Hayek, and described as "true individualism."[52] This type of individualism is to be distinguished from that of the Benthamites and philosophical radicals who came increasingly under the influence of what Hayek calls French and Continental individualism. This was conditioned largely by Cartesian rationalism, and its prominent representatives were Rousseau, the Encyclopaedists and the Physiocrats.[53]

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[52] See Hayek's essay, "Individualism: *True and False*," pp.1-32.
[53] ***Ibid***, p. 4. Indeed, Hayek sees this latter version of individualism as a source for socialism and collectivism.

Perhaps the most characteristic feature of the Humean self is the relatively low status accorded to reason, which is generally understood by the proponents of this view as being limited and imperfect. Thus man cannot be understood as being a highly rational and intelligent being who is controlled by (capital R) Reason, but instead as a fallible being, whose actions are, at most, only partially guided by (small r) reason and whose behaviour and the rules governing conduct are the product of a spontaneous order which has evolved gradually over time. It is this version of the liberal self that we will explore in detail in part two of the dissertation.

From the different models of the liberal self described above, it is clear that each ascribes a differing role to reason and each makes distinct their commitments to freedom. It is to a consideration of the distinctive roles ascribed to reason and freedom in the discourses of liberalism that we shall now turn, beginning with an analysis of reason.

Two Concepts of Reason

Together with different liberal "selves," we also discover at least two varieties of reason to accompany them. The first is that deployed extensively, but in very different ways, by Hobbes, Mandeville, Hume and Bentham,[54] which emphasises a calculative rationality where reason is thought of in negative terms as the servant or "slave" of the passions, desires, appetites and aversions - the forces that animate human beings.

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[54] There are wide disparities between these thinkers, which will become evident as the thesis unfolds.

The second is a more positive notion, associated with thinkers of the European Enlightenment, most particularly Kant, that sees reason as a master of the passions - an inherent faculty through which general principles can be formulated that, if followed, can enable man to free himself from the tyranny of irrational appetites and desires. Instead of being guided by uncontrolled passions, unanalysed prejudice, habit or tradition, this view holds that men can live according to general rational principles which could apply universally and in so doing be the most conducive means to the progress and happiness of mankind.

Hayek describes this version of reason as "constructivist rationalism" which in his view is deluded because it implies that a single human mind has an enormous capacity for knowledge which it can discharge at will through rational planning and design. Against this interpretation he poses an evolutionary conception of reason, whereby knowledge is accumulated gradually over time and generations. As such it is fragmented so that each individual member of society possesses only a small fraction of the knowledge possessed by all and consequently is largely ignorant of the bulk of knowledge upon which civilisation rests. As we shall see in the following chapter, this evolutionary understanding of knowledge and reason has a long history in British thought and owes much to the tradition of the English Common Law.

The other principal idea associated with all forms of liberal political thought is the commitment it makes to individual freedom. Given the focus of this thesis on the problem of freedom in liberal political thought it is necessary to

amplify the differing forms this commitment takes. This is vital because Liberalism is said to distinguish itself from other political doctrines by the supreme importance it attaches to freedom or liberty.

The Liberal Commitment to Freedom

In the words of Lord Acton, "liberty is not a means to a higher political end. It is itself the highest political end."[55] While liberals agree that some portion of human existence must remain private, they differ on the extent. Although various catalogues of individual liberties have been developed by a range of liberal thinkers, the "...argument for keeping authority at bay is always substantially the same. We must preserve a minimum area of personal freedom if we are not to 'degrade or deny our nature'."[56]

It is widely accepted that two main conceptions of liberty have currency within the liberal tradition. These are the negative liberty of classical liberalism and the positive liberty of idealist, revisionary and communitarian variants. In simple terms the distinction can be understood as that of independence and non-interference on the one hand, and an entitlement to participate in collective decision-making on the other. Both concepts are directly derived from the differing views about what constitutes a self, a person, an individual or a human being.[57] As we shall see, however, there are thinkers within the liberal tradition who do not fit neatly into either

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[55] Lord Acton, quoted in Bullock & Shock, *The Liberal Tradition*, p.121.
[56] Berlin, "Two Concepts of Liberty," p.126.
[57] *Ibid*, p. 134.

category. Mandeville, Hume and, perhaps surprisingly, Smith, are difficult to place securely within the camp of negative freedom, for in some sense they see a role for the state in creating the conditions in which human freedom is possible. Indeed, by examining the ambivalence about freedom expressed by these thinkers we can go some way to crystallising the paradox of liberal freedom.

The negative conception of liberty is usually understood as freedom from the constraints or authority of the state and is couched in terms that oppose conditions in which any form of coercion, compulsion, restriction, interference or pressure is involved. This formulation of freedom finds early expression in the work of Thomas Hobbes in which he declares that liberty should be understood as the "absence of externall Impediments, which Impediments, may oft take away part of a mans power to do what hee would."[58] But Hobbes' formulation of negative freedom cannot be thought of as the definitive liberal version, for his links with liberalism are at best tenuous and his definition is designed to apply to other beings besides humans. By contrast "pure" liberal theories of freedom concentrate on that which applies to "man" and more specifically on the freedom of the individual from "external impediments" which are themselves man-made. Isaiah Berlin has stated this view, with notable clarity:

> *I am normally said to be free to the degree to which no man or body of men interferes with my activity. Political liberty in this sense is simply the area within which a man can act unobstructed by others. If I am prevented by others from doing what I could otherwise do, I am to that degree unfree; and if this area is*

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[58] Thomas Hobbes, ***Leviathan***, C. B. Macpherson (ed) (Harmondsworth: Penguin, 1968) p.189.

> *contracted by other men beyond a certain minimum, I can be described as being coerced, or it may be, enslaved... Coercion implies the deliberate interference of other human beings within the area in which I could otherwise act. You lack political liberty or freedom only if you are prevented from attaining a goal by human beings.*[59]

Thus, according to Berlin, being free in a negative sense means one is "...not being interfered with by others. The wider the area of non-interference the wider my freedom."[60] Threats or impediments to freedom must be external and man-made and coercion must involve "deliberate" human interference. In other words, one can only lack political freedom if one is prevented from attaining a goal by other human beings and not by a lack of capacity. This latter stipulation is extremely important from a "mainstream" liberal perspective which, following Hobbes, is careful to distinguish freedom from either power or ability.[61] Power and authority are always thought of in political terms as political power and authority enshrined in laws and the apparatus of the state. In short, Berlin argues that freedom for liberals continues to mean primarily the negative freedom of the individual from control, coercion, compulsion, restriction and interference by the state. The state is the primary enemy of individual freedom and this remains the case despite the fact that the paradigmatic figure of modern liberalism, John Stuart Mill, appeared to be as concerned with the threats to liberty posed by restrictive pressures of society or "tyranny of the majority" - the quiet erosion

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[59] Berlin, "Two Concepts of Liberty," p.122.
[60] *Ibid*, p.123.
[61] See also Maurice Cranston, *Freedom: A New Analysis*, p.67.

of liberty by moralists and political reformers - as he was with the power of the state.[62]

As Berlin sees it liberal thinkers such as Locke, Smith and even Mill, who tend in the main towards an optimistic view of human nature and belief in the possibility of harmonising human interests, believed social harmony and progress were compatible with reserving a large area for private life free from interference by both the state or any other form of authority. Nevertheless, there are those, such as Hobbes, who tended towards a more pessimistic view and saw the need for a larger sphere of centralised control and a correspondingly smaller private realm which they justified on the basis that greater safeguards were necessary to prevent individuals from destroying one another and making social life a "jungle." Hume and Mandeville do not really fit into either of these groups, for while they did not hold a benevolent view of human nature, both agreed that political power needed to be limited.

By contrast, positive conceptions of freedom derive, according to Berlin, principally from the desire for self-mastery. He defines this as the wish to be a somebody rather than a nobody, a subject rather than an object, and a self-directed autonomous being whose life and decisions depend solely on oneself, on one's own will, and not on external forces. A human being is thus distinguished by its rationality and ability to be conscious of itself as a

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62 See John Stuart Mill, "On Liberty" in H. B. Acton (ed) ***Utilitarianism, On Liberty, and Considerations on Representative Government*** (London: J. M. Dent & Sons, 1972) pp. 131-149 for his views on the relationship between society and the individual.

thinking, willing, active being who bears responsibility for choices and explains them by reference to its own ideas and purposes. In this sense freedom consists in believing it to be true that one is one's own master and enslavement pertains upon realisation that this is false. The positive form of freedom is underpinned, says Berlin, by the notion of a bifurcated self, a self divided into two parts: a higher dominant self which is rational and autonomous; and a lower, base, empirical self which consists of irrational impulses and uncontrolled desires and is grounded in the heteronomy and "dirt" of nature. The task of the rational self is to bring the unbridled and unruly activities of the "natural" self to heel - to discipline or "normalise" the self through techniques of self-control or self-mastery.[63]

Revisionary liberals, such as T. H. Green, employed a Hegelian derived version of positive freedom to defend the welfare state as a freedom enhancing institution. The implication of this approach is that liberty involves more than merely having a legal right to act. Certain resources, powers and abilities are also required to expand the chances for freedom and thus enable the individual to make the best of her or his life. In other words, individual freedom in the full sense involves having the opportunity for self-realisation, and Green believed that the state had a role to play in conferring the resources necessary to maximise such opportunities.[64] Interestingly, as we shall see in Chapter Six, some of Adam Smith's prescriptions for self-

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[63] Berlin, "Two Concepts of Liberty,"p.132.

[64] T. H. Green, ***Lectures on the Principles of Political Obligation*** (London: Longmans, 1966). See also Peter Nicholson, "Thomas Hill Green: Lectures on the Principles of Political Obligation" in M. Forsyth and M. Keens-Soper (eds) ***The Political Classics: Green to***

improvement, via State assistance (especially compulsory universal education), bear some resemblance to Green's views on freedom.

Crucially, it is the thinkers who advocate positive freedom, especially Kant and Hegel, rather than the adherents to negative freedom, who constitute the central target for the critiques presented by Nietzsche, Foucault, and latterly William Connolly. Interestingly, there is a parallel here with the critiques mounted in the eighteenth century, by Mandeville, Hume and Smith against the rationalist thinkers of the sixteenth and seventeenth century, especially Descartes and the Cambridge Platonists.

Berlin and other staunch defenders of negative freedom, such as Hayek, are also highly critical of the conception of positive freedom, seeking to point out that liberty and self-realisation are separate objectives; that definitions of what might constitute self-realisation are highly variable, controversial and potentially conflictual; and further, that such a conception conflicts with the liberal values of diversity and equality.[65] Hayek also makes the point that conceptions of positive freedom and autonomy tend to involve a perception that obedience to norms and the acceptance of inherited forms of life, which he considers to be the pre-requisites for personal freedom, should be represented as threats to that freedom.[66] Although, as we shall see further

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Dworkin (Oxford: Oxford University Press, 1996) pp.17-35 for a concise study of Green's contribution to liberal political thought.

[65] The main points of Berlin's critique are to be found in "Two Concepts of Liberty," pp.145-172. As I point out further on, however, Berlin has acknowledged that certain forms of "undistorted" positive freedom may have merit in maintaining conditions in which negative liberty can flourish. See also Hayek, ***The Constitution of Liberty***, pp.16-17.

[66] Hayek, ***The Constitution of Liberty***, p. 146-147.

on, Hayek's own version of liberalism recommends almost exactly the same prescription.

While Berlin has acknowledged that both forms of freedom have their own potential dangers, it is through the positive form, which has been variously expressed by Plato (self-mastery), Rousseau (general will), Kant (autonomy), Hegel (Spirit), Marx (Class consciousness), T. H. Green (welfarism) and, more latterly, in the work of Communitarian thinkers such as MacIntyre, Taylor and Sandel, that the realisation of freedom is most "dangerous." The primary danger attached to positive freedom and its various conceptions of autonomy is, says Berlin, that it prepares the ground in which totalitarianism can flourish. Inherent in the conception of autonomy is the notion of the bifurcated self, outlined above, which is easily used as a license for paternalism and tyranny. Thus there is the potential for the "real" self to conceive itself as something wider than the individual and to identify with a "whole" of which the individual is merely an element or aspect: such as a tribe, state, race, spirit, class, church or great society of the living, dead and future generations. This entity is then identified as being the "true" self which can, by imposing its collective will upon recalcitrant members, achieve its own and their "higher freedom."

Although Berlin concedes the negative conception is itself not free from such dangers,[67] he makes it clear that this is likely to be an abnormal occurrence and that in general the negative conception of freedom is much "safer" than the positive variant which overtly encourages dangerous forms of self-identification. With its suggestion of man divided against himself, the positive conception of freedom has, claims Berlin, historically lent itself, both doctrinally and practically, to creating the split personality which manifests in the form of a transcendent, dominant, rational controller who has an empirical bundle of desires and passions that need to be disciplined and brought to heel.[68]

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[67] There is, for example, the possibility that the private self could misrecognise itself as an individual with actual wishes and interests as they are "normally" conceived and may identify instead with the "real" man inside who associates himself with an ideal or purpose beyond his empirical self.

[68] Berlin, "Two Concepts of Liberty," p. 134. It is Marx's argument, of course, that the bifurcated self of modernity was a product of bourgeois liberalism and reflected the liberal public/private split between the state and civil society. The split in the social realm is reproduced within the self to create a split personality with conflicting identities. The bourgeois liberal is both an individual inhabitant of civil society and thus concerned with the selfish pursuit of her/his own ends and also a citizen who is expected to transcend self-interest and participate in the political realm. Under Capitalism, the economic underpinning of liberal democracy, only economic man (the private man of civil society) has concrete existence. Citizenship is merely perceived as an abstract identity. In other words, within liberal democracy, the private pursuit of individual interests is seen as a more "real" activity than the "abstract" activities associated with citizenship. Thus, from Marx's perspective, Berlin's recommendation to emphasise negative liberty and strengthen or expand the sphere of privacy can only serve to exacerbate the problem of the bifurcated self. See Joseph Femia, ***Marxism and Democracy*** (Oxford: Clarendon Press, 1993) especially pp.11-67 for an extremely useful description and analysis of the Marxist critique of liberal democracy which he pieces together from fragments derived from a variety of Marx's early writings. While Marx did not give coherent expression to his critique of liberal democracy a key text in this respect is his early essay "On the Jewish Question" in Robert C. Tucker, ***The Marx-Engels Reader*** (New York: W. W. Norton, 1972) pp. 24-51.

Given Berlin's more detailed analysis of the "dangers" that attend both forms of freedom,[69] it could be argued that he has been too quick to assert the relative safety of negative freedom. Indeed, in his later discussion of freedom Berlin gives much greater attention to the "disastrous" effects (both real and potential) which have been associated with certain forms of negative liberty. We do well, he counsels "...to remember that belief in negative freedom is compatible with, and (so far as ideas influence conduct) has played its part in, generating great and lasting social evils."[70] For instance, he points out that principles of "non-interference" such as those associated with the "social Darwinian" principle that "only the strong will survive," have at times been employed to support politically and socially destructive policies which have effectively armed the strong, ruthless and unscrupulous against the weak, less gifted and less fortunate. In his words, "freedom for the wolves has often meant death to the sheep. The bloodstained story of economic individualism and unrestrained capitalist competition does not ... need stressing."[71] Berlin does not, however, see the "evils of unrestricted laissez-faire" and the social and legal systems that encouraged it as in themselves expressions of negative liberty, but more as the initiators which led to and sanctioned "brutal violations of 'negative' liberty - of basic human rights (always a negative notion: a wall against oppressors)."[72]

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[69] This is contained in the "Introduction" to ***Four Essays on Liberty,*** especially pp.xxxvii-lxiii, which was published in 1969, over ten years after his seminal "Two Concepts" essay.
[70] ***Ibid,*** p.xlv/
[71] ***Ibid***
[72] ***Ibid***

In other words, Berlin does not see negative freedom as necessarily synonymous with a defence of *laissez-faire* individualism. This is because, historically, the kind of evil against which negative liberty was directed was not *laissez-faire* but despotism and the patriarchy that Locke sought to overthrow.[73] Nevertheless, he obviously recognises the dangers that inhere within negative formulations of freedom, as they can and have been associated with unrestrained economic individualism. At the same time, he also concedes that some versions of positive freedom can and have been recognised as vital to ensuring basic minimum conditions in which a significant degree of negative liberty can be exercised. For what, he asks, "...are rights without the power to implement them?"[74] In situations where individuals suffer poverty, exploitation, ignorance and illness, the provision of legal rights alone has little value. Indeed, he claims "legal rights are compatible with extremes of exploitation, brutality and injustice." Thus, for Berlin, a strong case can be made in support of intervention, by the state or other effective agencies, to secure conditions for both positive and, at least a minimum degree of, negative liberty. Indeed, this has been recognised by liberals such as Tocqueville, Mill and Benjamin Constant.[75] He argues, however, that such a case can and should be made on the basis of considerations of negative rather than positive liberty.

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[73] This was the key objective of Locke's "First Treatise of Government," in ***Two Treatises of Government***, Ed. Mark Goldie (London: J. M. Dent, 1993). From a feminist perspective, of course, Locke's critique of patriarchy is one limited to the relationship between fathers and sons and neglects the patriarchal relationship as it pertains to women. See especially, Carole Pateman, ***The Sexual Contract*** (Stanford: Stanford University Press, 1988).

[74] Berlin, "Introduction" ***Four Essays***, p.xlvi.

[75] ***Ibid***, pp. xlvi-xlvii.

Writing in 1969, at the height of Cold War pessimism, Berlin judged the threat of "liberal ultra-individualism" to be weak and perceived the principal "danger" to emanate from conceptions of positive freedom which, in distorted form, continue to play a role in capitalist and non-capitalist societies "as a cloak for despotism in the name of a wider freedom."[76] In effect, Berlin is saying that no matter how disastrous the consequences of negative freedom have been in their "unbridled forms," these cannot compare with the far more dangerous implications that attend forms of positive freedom, the conceptual ground of which is particularly vulnerable to distortion and manipulation into "darkly metaphysical" and "socially sinister" interpretations. The point for him is that negative freedom "...was less often defended or disguised by the kind of specious arguments and sleights-of-hand habitually used by the champions of 'positive' freedom in its more sinister forms."[77] Yet it must be remembered that Berlin's argument is that the relationship particular societies have to the two versions of freedom is always a contingent one, that is to be judged in accordance with an analysis of the main danger to be faced at a particular time and place in history. According to his own historically contingent analysis, the principal danger was perceived to be totalitarianism. Presumably, if in a different time and place the main danger was perceived to emanate not from totalitarian communism but from another "source," for instance a ruthless, unbridled economic individualism, the relative safety of negative liberty might need to be rethought. Ultimately, Berlin meant that a careful analysis

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[76] *Ibid*
[77] *Ibid*, p.xlv.

of conditions within particular societies is necessary before either conception of freedom can be ruled in or out.

The notion of autonomy, which has been a key component of various conceptions of positive freedom, continues to have currency in contemporary liberal debates. Thus, it is argued, not all conceptions of positive freedom are so obviously opposed to liberal values.

The Continuing Problem of Autonomy

John Gray points out, for example, that both Spinoza and Kant employed positive views of freedom as autonomy or individual self-determination in defence of toleration and limited government. This is freedom construed not as collective self-determination, but as rational self-government of the individual agent. Indeed, he sees such an individualist variant of positive freedom informing ***On Liberty***, "Mill's most liberal work." In this context, positive freedom can be understood as the "non-restriction of options:" a view of freedom that takes account of the fact that individual liberty may be curbed by internal constraints as well as social obstacles. As such it is connected with the idea of the autonomous individual who rules her or himself.[78] Perhaps, suggests Gray, it is only by invoking such a conception of autonomy that the many modern threats to freedom which derive from sources other than coercion, such as propaganda, media manipulation and the tyranny of fashion, can be countered.[79]

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[78] Gray, ***Liberalism***, pp. 57-58.
[79] ***Ibid***, pp. 58-9.

Continuing adherence to the notion of autonomy, especially the idea of an "open" conception, finds expression in the work of liberal theorists and commentators such as Joseph Raz, Jack Crittenden, Richard Bellamy, Gerald Dworkin, Richard Lindley and David Held.[80]

The concept of autonomy is only one of a number of issues that have been debated by liberal thinkers over the years. Indeed, since the nineteenth century liberalism has faced many difficulties and in the next section we will consider some of the specific developments that befell liberal theory during the twentieth century.

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[80] See Joseph Raz, ***The Morality of Freedom,*** (Oxford: Clarendon Press, 1986) pp. 369-70 who suggests that the ideal of autonomy is necessary in "the conditions of the industrial age and its aftermath with their fast changing technologies and free movement of labour." Jack Crittenden, ***Beyond Individualism: Reconstituting the Liberal Self*** (Oxford: Oxford University Press, 1992) seeks to move beyond the unencumbered self of deontological liberalism and the socially situated self of communitarianism to develop what he calls a "theory of compound individuality:" the notion of a self that is constituted by both individual autonomy and constitutive relations. He claims to do this "by reference to empirical criteria" utilising insights from developmental psychology. See also Gerald Dworkin, ***The Theory and Practice of Autonomy*** (Cambridge: Cambridge University Press, 1988) who characterises autonomy as the capacity of a person to critically reflect upon, and attempt to accept or change, her or his preferences, desires, values and ideals. Richard Bellamy, ***Liberalism and Modern Society,*** makes a similar case for autonomy to that presented by Raz. See also David Held, ***Models of Democracy*** (Cambridge: Cambridge University Press, 1987), and Richard Lindley, ***Autonomy*** (London: Macmillan, 1986) who offers a useful overview of various conceptions of autonomy that have had currency in Western political theory, as well as a study of contemporary practical problems associated with the concept.

The Strange Death and Curious Metamorphosis of Liberal Theory

While it would be mistaken to think of the nineteenth century as one in which a pure liberalism flourished,[81] it was certainly the period of its greatest strength. A significant part of the liberal reform agenda had been completed by this time: the onslaught against feudal and aristocratic privilege had largely been successful and the sphere of "individual freedoms" had been widened. All in all Victorian liberals felt a sense of self-assurance that was nourished by a belief in orderly progress based on the notion of evolution which affirmed the primacy of man over nature and afforded a rhythm of predictability to the universe.[82] By the end of the century, however, liberalism had begun to run out of momentum and the liberal faith appeared to be waning. This decline was related to two central issues concerned with the nature of freedom and the role and functions of the state and the way these were interpreted within the liberal movement itself.

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[81] There were many instances of "anti-liberalism" throughout Europe during the latter part of the 19th century. Even within the liberal movement itself there was a strong impulse to withdraw from a social and political world dominated by values and forces of ideological conviction and militancy alien to the liberal temper and ethos that dated back to 1848 and the "year of revolutions." Dogmatism and fanaticism prompted many to withdraw from the public sphere and reinforced a sense of alienation and isolation. See Arblaster, ***The Rise and Decline of European Liberalism,*** p. 299-308 in which he charts the repercussions of this mood of withdrawal.

[82] See Michael Freeden, ***Liberalism Divided: A Study in British Political Thought 1914-1939*** (Oxford: Clarendon Press, 1986) p. 9.

On the one hand, liberal governments had achieved much but the liberal reform agenda had largely been accomplished through governmental and state driven programs. Thus liberal governments had presided over a steady cumulative increase and expansion of state activities and responsibilities as more and more aspects of social and economic life came under legal restriction and regulation. This was problematic because, at the theoretical level, liberalism maintained its commitments to negative liberty and the institution of the minimal state and thus retained a belief in the inherent undesirability of compulsion and intervention in private interests. Yet the theory did not accord with the reality of burgeoning governmental activity and a growing preoccupation of politics with social issues. In other words, many liberals felt uneasy about these developments as they ran counter to their beliefs and sympathies.

The paradox at the heart of liberalism was rendered clearly visible during this period. On the one hand liberals continued to pay lip service to the principles of non-intervention, free-trade and *laissez-faire*, whilst on the other they were continually sanctioning acts of intervention which they were forced to justify as exceptions to the rule. Whilst the expansion in the sphere of liberal freedoms was welcomed, there was an unwillingness to acknowledge the governmental and legislative measures that were important in securing these freedoms. To do so would have required a departure from liberal orthodoxies and a rethinking of the liberal concepts of freedom, the individual and the state which many were unwilling to embrace.

One liberal thinker willing to address this intellectual task was T. H. Green who rejected the classical liberal ontology, which claimed individuals as primary units and society as secondary or artificial creations, and sought to introduce positive Hegelian conceptions of state and society. Green maintained that the state was not necessarily devoted to a negative role of restricting freedom; it also had a positive role to play in conferring and enlarging freedoms. Through state activity the power and capacity of people could be increased and he saw this as not incompatible with the liberal commitment to individualism: if people were relieved of responsibilities in some areas, this left them free to develop self-reliance in others. Thus the "New Liberalism" of Green, Bernard Bosanquet, L.T. Hobhouse and the other "Oxford idealists," represented a new liberal philosophy which justified state intervention and social reform in essentially liberal terms of (a more broadly defined) freedom and the individual. [83]

Already in steady decline, the liberal movement was eventually shattered by the cataclysmic events of the First World War. There then followed two decades of crisis for liberal thought, during which it was fractured by a number of violent body blows. The cracks in its edifice revealed that liberalism was not built on a secure foundation of a pure liberal doctrine, but was in fact composed of a number of often ill-fitting "liberalisms" which

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[83] See for instance, T. H. Green, ***Lectures on the Principles of Political Obligation;*** L. T. Hobhouse, **Liberalism** (Oxford: Oxford University Press, 1964); and Bernard Bosanquet, ***The Philosophical Theory of the State*** (London: Macmillan, 1910) in which he offers a defence of idealism. It should be noted that, following World War One, Hobhouse revised his views on New Liberalism, reviving the theories of Herbert Spencer. On this see Freeden, ***Liberalism Divided.***

could not be easily reduced to "liberalism."[84] During the 1920s there was a sharp split in liberal ranks which yielded two main streams which can be roughly categorised as libertarian and progressive. This created much confusion over what then could be properly called liberalism.[85] The reaction to the general downturn in liberal fortunes set the tone for the inter-War years during which time many liberals turned to Herbert Spencer's theories of extreme individualism and atomism, such that there was an astonishing revival of his work.[86]

Following the Second World War the Liberal Party itself was seen as of little significance in most Western countries and it seemed to many that the liberal ideal had had its day. Ironically enough, however, it was through the policies of John Maynard Keynes that Capitalism and indeed, liberalism, were rescued and restored at a time when they were threatened with disaster.[87] Despite the apparent widespread acceptance of "revisionist" or welfarist forms of liberalism and their application by Western governments during the post-war years, there was a steady stream of influential texts written in this period, in response to growing fears of totalitarianism, in which the importance of a classical liberal outlook was restated. Of particular note in this respect were F. A. Hayek's ***The Road to Serfdom*** (1944), Karl Popper's ***The Open Society and Its Enemies*** (1945), J. L. Talmon's ***Origins of***

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84 Freeden, ***Liberalism Divided,*** p. 1.
85 ***Ibid,*** p. 12. See also Kenneth Minogue, ***The Liberal Mind*** pp. 61-8 who categorises the two streams as libertarian and salvationist.
86 Freeden, ***Liberalism Divided,*** p. 29.
87 Arblaster, ***Rise and Decline of Western Liberalism,*** pp. 293-294.

Totalitarian Democracy (1952) and Isaiah Berlin's *Two Concepts of Liberty* (1958).

It is probably fair to suggest that liberalism reached the nadir of its scepticism during the Cold War years as it expressed itself in a dogmatic stance against communism. With the defeat of fascism in 1945, totalitarianism had come to be almost exclusively identified with communism which was seen by many critics as the logical and final outcome of the whole intellectual and political history of revolutionary socialism that began with the French Revolution. Because "totalitarianism" allocated a special place to ideology it became important to attack all forms of utopianism and idealism which were portrayed as secular versions of "millenarian" or "messianic" religious visions which could only spawn cruelty and tyranny. The critiques mounted by Berlin, Popper and Hayek were especially influential in this respect.

By the 1960s, Cold War "liberals," such as Edward Shils, Seymour Martin Lipset, Raymond Aron and Daniel Bell, had proclaimed the "death of ideology." There was a general air of self-congratulation in the West that political and social reforms, such as the welfare state, decentralisation of power, the mixed economy and political pluralism, had been achieved without recourse to any form of ideology that spawned violence and tyranny. This celebration began to look premature, however, by the 1970s as the effects of world depression and the oil shocks - the return of inflation, mass unemployment and the gradual undermining of the welfare state - began to be felt in the West. There was a revival of liberal theorising during

this period that took two different but overlapping forms. First, the return of "grand" liberal philosophy, exemplified in the work of John Rawls, Ronald Dworkin, Robert Nozick and other theorists of justice. Second, the revival of classical political economy, exemplified in the writings of F. A. Hayek (Austrian School) and Milton Friedman (Chicago School).

It is here that the main motif of our story begins to gather momentum. On the one hand there is a revival, principally through Rawls, of the Kantian deontological tradition of ethical liberalism that emphasises the "unencumbered self," the priority of right over the good, autonomy, a politics of rights and a tradition of what Hayek calls "constructivist rationalism." Contemporaneous with this is the re-emergence, through the neo-classical liberalism of free market theorists, such as Hayek and Friedman, of the Mandevillian, Humean and Smithean tradition that emphasises the role played by the interests and (tamed) passions in achieving economic growth, prosperity and stability, and rejects "constructivist rationalism" in favour of notions of spontaneity and evolutionary growth.

The Return of Grand Liberal Theory

The revival of liberal political philosophy during the early 1970s starts with the publication, in 1971, of John Rawls' *A Theory of Justice*. This was an influential text that has provoked a substantial response from utilitarians, libertarians, communitarians and feminists between 1971 and now. An

almost immediate response was forthcoming from the libertarian theorist, Robert Nozick.[88] Interestingly, both Rawls and Nozick were seen as significant revivers of the tradition of social contract.[89] Nozick's response was swiftly followed by another important body of criticism from thinkers such as Michael Sandel, Michael Walzer, Charles Taylor and Alasdair MacIntyre, who came to be known, collectively, as "communitarians."[90] There have also been a number of responses from feminist theorists such as Susan Moller Okin, Carole Pateman, Iris Marion Young and Moira Gatens[91]

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[88] Robert Nozick, ***Anarchy, State and Utopia*** (New York: Basic Books, 1974).

[89] On this see Norman Daniels (Ed), ***Reading Rawls: Critical Studies on Rawls' A Theory of Justice*** (Oxford: Basil Blackwell, 1975) and Jeffrey Paul (Ed), ***Reading Nozick: Essays on Anarchy, State & Utopia*** (Oxford: Blackwell, 1982). See also John Gray, "Contractarian method, private property and the market economy," in ***Liberalisms***, pp. 161-198 in which he criticises both Rawls and Nozick for misusing contract theory.

[90] An excellent overview of the ensuing debate between these thinkers can be found in Stephen Mulhall and Adam Swift, ***Liberals and Communitarians*** (Oxford UK & Cambridge USA: Blackwell, 1992). A useful collection of key primary texts that have influenced the individualist/communitarian debate is contained in Schlomo Avineri & Avner de-Shalit, ***Communitarianism and Individualism*** (Oxford: Oxford University Press, 1992).

[91] See for instance, Susan Moller Okin, ***Justice, Gender, and the Family*** (New York: Basic Books, 1989) pp.89-109; Okin, "Reason and Feeling in Thinking about Justice" in ***Ethics*** 99 (January 1989) 229-249 Carole Pateman, ***The Disorder of Women: Democracy, Feminism and Political Theory*** (Cambridge: Polity Press, 1986); Carole Pateman, ***The Sexual Contract***; Iris Marion Young, "Impartiality and the Civic Public: Some Implications of Feminist Critiques of Moral and Political Theory" in Seyla Benhabib & Drucilla Cornell (eds) ***Feminism as Critique: Essays on the Politics of Gender in Late-Capitalist Societies*** (Cambridge: Polity Press, 1987) pp. 57-76; Young, ***Justice and the Politics of Difference*** (Princeton: Princeton University Press, 1990) and Moira Gatens, ***Feminism and Philosophy: Perspectives on Difference and Equality*** (Oxford: Polity Press, 1991) especially pp. 65-7 In general terms, feminists have argued that Rawls' theory suffers from "sex-blindness" which limits what can be said about the specific situation of women within the parameters of his theory. Feminists such as Susan Moller Okin and Iris Marion Young, argue that Rawls and Dworkin do not go far enough and that more substantial intervention is necessary if gender inequalities are to be addressed and progress made towards a feminist conception of justice. Okin points out that Rawls' theory tends to neglect the issue of gender and, despite an initial statement about the role of the family in the basic structure of a just society, he fails to consider whether the family is a just institution. Despite her criticisms, Okin thinks that Rawls' method, once reformulated, can be useful for feminists in challenging the gender structure and achieving justice between sexes within the family and society. See Okin, ***Justice, Gender and The Family***, pp.89-109. Iris Marion Young, on the other hand, sees few redeeming features either within Rawls' theory or within the deontological tradition of moral philosophy altogether. She argues that the ideals of impartiality and universality inherent in deontological liberalism are misguided, working against feminism, and other emancipatory politics, because they attempt to eliminate difference and otherness and create a false dichotomy between reason and feeling. See Young, "Impartiality & the Civic Public" in Benhabib & Cornell, ***Feminism as Critique***, pp. 57-76 and ***Justice and the Politics of Difference***, pp. 96-121.

as well as from other contemporary thinkers.[92] The debate has, however, tended to be restricted to the Anglo-American world, although it has recently extended to France through the work of scholars such as Luc Ferry, Alain Renaut and Pierre Manent.[93]

Rawls' work was influential because, in placing justice at the centre of liberal thought, he sought to abandon the then ruling utilitarian ethic which, in his view, gave insufficient weight to the separateness of individuals and thus insufficient protection for integrity and autonomy. He did this through a revival of a version of social contract theory and through an appeal to Kantian liberalism. In so doing he attempted to bypass the questions of political obligation and the state and to raise the issue of distributive justice, thereby reinstalling the issue of individual rights on the political theory agenda and indirectly raising the question of the welfare state. His theory of justice as fairness embodies two key principles: freedom of the individual embedded in support for civil liberties, and a belief in equality of opportunity and a more egalitarian distribution of resources than would result from the operation of market forces alone.[94] By giving lexical priority to the principal of liberty[95] it can be said that Rawls' theory reinscribes, in a

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[92] See for example Robert P. Wolff, ***Understanding Rawls: A Reconstruction and Critique of a Theory of Justice*** (Princeton: Princeton University Press, 1977); and the more recent study by Chandran Kukathas and Philip Pettit, ***Rawls: A Theory of Justice and its Critics*** (Stanford: Stanford University Press, 1990).

[93] See for instance, Mark Lilla (ed), ***New French Thought: Political Philosophy*** (Princeton: Princeton University Press, 1994), a collection of writings by the new French liberal school.

[94] John Rawls, ***A Theory of Justice*** (Oxford: Oxford University Press, 1971). See pp.60-65 for an explanation of the two principles of justice and p.302 where Rawls gives expression to their final formulation. See also Rawls, "Justice as Fairness: Political Not Metaphysical" in Avineri & de-Shalit, ***Communitarianism & Individualism,*** pp. 186-204, and Rawls, ***Political Liberalism*** (New York: Columbia University Press, 1993).

[95] ***Ibid,*** p. 43.

contemporary context, the Kantian liberal (de)ontology in which the individual is seen as primary to society, the right is prior to the good, and liberty has priority over any other social values.

According to Robert Nozick, however, Rawls' theory does not contain sufficient respect for individual liberty. Its redistributive aspects involve the violation of individual rights to property and self-ownership which Nozick sees as fundamental and basic and which are to be respected as ends in themselves and not as a means to a further good. As he puts it, "...individuals have rights, and there are things no person or group may do to them (without violating their rights). So strong and far-reaching are these rights that they raise the question of what, if anything, the state and its officials may do."[96] Nozick's answer is similar to that of Hayek: the state should perform the most minimal functions directed solely towards the maintenance of peaceful conditions in which individuals can pursue their own interests. It should certainly take no action that might aim to help individuals pursue any particular conception of the good. The norms governing the market treat people as equals and provide the simplest and most just form of neutrality, neither helping nor hindering competing parties. Markets distribute goods in an unpatterned way on the basis of entitlement and luck, and this is seen by Nozick, and, indeed by Hayek, as the only fair form of distribution. Those who advocate distribution on the basis of need are proposing illiberal forms of social justice.

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[96] Robert Nozick, ***Anarchy, State and Utopia*** (New York: Basic Books, 1974) p.ix.

Ronald Dworkin disagrees and he stresses the importance of the idea of equality as a central liberal principle in order to emphasise the need for redistribution. While Dworkin regards the liberal institutions of the market economy and representative democracy as satisfactory institutional means for providing a diversity of choices and making political decisions independent of particular conceptions of the good - on this question Dworkin is adamant government must remain neutral - they often fail to provide equal opportunities for individuals to pursue projects and goals. Thus limited government intervention, in the form of redistributive measures and civil rights, are necessary to ensure the system is fully reflective of the different preferences that pertain to citizens. In other words, by focusing on equality Dworkin is principally highlighting the liberal commitment to equality of respect for individuals and their choices of the good. This does not, however, translate into an attempt to guarantee all members of society equality of fulfilment, merely equality of opportunity. Personal satisfaction is highly subjective, thus a universal measure of satisfaction would not respect the differing values held by individuals which are likely to vary, in any case, at different stages of a person's life. Dworkin makes it clear that individuals are responsible for the success of their own projects and goals providing they are not prejudiced by features of themselves and the world which are not of their own making.[97]

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[97] Ronald Dworkin, ***Taking Rights Seriously*** (London: Duckworth, 1977) and "Liberal Community" in Avineri & de-Shalit, ***Communitarianism & Individualism,*** pp.205-224.

While there are significant differences between Rawls, Dworkin and Nozick over the question of which principles best promote equality and respect, they are all adherents to "de-ontological liberalism." In other words, they can all be said to agree on the desirability of maintaining a neutral ethical stance in relation to ideas of the good and thus of appealing to Kant's precepts to give priority to the right over the good and to treat individuals as ends rather than means.[98] The concept of neutrality is valued by these thinkers because it allows equal concern and respect to individuals, groups, communities and their various conceptions of the good in societies which have a plurality of competing values. Given the diversity of cultures and interests that exist within modern societies, the only acceptable doctrine to these thinkers is one which treats the values and projects of different people in an even handed way in order to secure the conditions for political freedom. According to the neutralists, not only is the notion of a single general moral framework offensive to too many people, but agreement on such a framework can only be maintained by the oppressive use of state power.

Nozick, and Hayek, employ the notion of neutrality in a narrow sense, merely requiring a minimal state to maintain peaceful conditions that will allow individuals to pursue their own interests,[99] while Rawls and Dworkin argue, on the grounds of fairness, for a less stringent application of the term.

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[98] Despite the fact that Rawls advocates a redistribution of goods via the difference principle, he gives priority to the liberty principle and must thus be understood as privileging the right over the good. It is only once the demands of the liberty principle have been met that the difference principle comes into play.

[99] Hayek advocates a stronger role for the state in maintaining such conditions than Nozick.

The State needs to be moderately interventionist in order to ensure that government laws, programs and policies are themselves neutral. In other words, they seek to secure a neutral distribution of resources that will offer each individual equality of opportunity to follow a given way of life with equal chance of success.[100]

In summary then Rawls, Dworkin and Nozick, argue from individual premises to define liberalism as a doctrine of neutrality between differing conceptions of the good, thereby arriving in different ways at a politics of rights. Important criticisms of this position have been forthcoming from the communitarian school of thinkers and it is to a consideration of this stream of thought that we will now turn.

The Communitarian Critique

There are those who see the deontological project as abstract and incoherent and who define liberalism from a communitarian perspective as linked to a type of society, presupposing a shared understanding of that society's values. These thinkers draw substantially from the predominantly European traditions of civic republicanism, Hegelianism and Marxism. Thus, they see a healthy liberal society as a community of public-spirited citizens oriented

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[100] Much of the revival in anti-utilitarian political philosophy has emanated from the United States and John Dunn has expressed a concern that the works of Rawls, Dworkin and Nozick reflect a "moral narcissism" evident in the North American academy and displays "a social and political sensibility which is damagingly and parochially American" in its range and responsiveness to contemporary social and political circumstances. See Dunn, ***Rethinking Modern Political Theory***, pp. 160-163.

towards a common good rather than a collection of individuals devoted to the maximisation of self-interest and protection of rights.

The mixed bag of theorists in the contemporary "communitarian" pantheon includes Jürgen Habermas, Charles Taylor, Michael Sandel, Alasdair MacIntyre, Michael Walzer and Iris Marion Young.[101] While there are significant differences between these thinkers, it is possible to identify a number of common elements that allow them to be considered under the general rubric of communitarianism. Lumping them together in this way can, however, make communitarianism an easy target for charges of inherent moral conservatism.[102] While there may be detectable strands of conservatism in the work of some communitarians, especially that of Alasdair MacIntyre,[103] this label cannot be applied uncritically to the work of all thinkers within this "school."

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[101] See Jürgen Habermas, ***Legitimation Crisis,*** trans. Thomas McCarthy (Boston: Beacon Press, 1975); Charles Taylor Philosophy ***and the Human Sciences: Philosophical Papers*** 2 (Cambridge: Cambridge University Press, 1985); and ***The Sources of the Self: The Making of the Modern Identity*** (Cambridge: Cambridge University Press, 1990); Michael Sandel, ***Liberalism and the Limits of Justice*** and "The Procedural Republic and the Unencumbered Self" in Avineri & de-Shalit, ***Communitarianism & Individualism,*** pp. 13-28; Alasdair MacIntyre, ***After Virtue*** (London: Duckworth, 1981); ***Whose Justice? Which Rationality?*** (London: Duckworth, 1988); ***Three Rival Versions of Moral Enquiry*** (London: Duckworth, 1990); and Michael Walzer, ***Spheres of Justice*** (New York: Basic Books, 1983); ***Interpretation and Social Criticism*** (Cambridge MA: Harvard University Press,1987)

[102] See for instance Amy Gutman, "Communitarian Critiques of Liberalism" in Avineri & de-Shalit, ***Communitarianism & Individualism,*** pp. 120-136.

[103] It is MacIntyre's contention that modern notions of justice and morality are generally fragmented and confused. He attributes this principally to the failure of the European Enlightenment project, which was inaugurated largely through Kant, to provide an independent rational justification of morality. He argues, instead, for a return to the Aristotelian tradition and can be said to hold a traditional Aristotelian understanding of community which he appears to restrict to local community contexts such as family, tribe and neighborhood, rather than at the level of the state, nation or class where a confusion of values, rather than identity, tend to exist. For MacIntyre one understands one's life by looking at one's actions within the context of a narrative or story. Self -understanding only occurs within a community that sets up the form, shape, background and circumstance of the narrative.

According to the communitarian view, the social is empirically prior to the individual, thus human behaviour can only be understood as it occurs within cultural, social and historical contexts.[104] Individuals cannot be thought of as abstracted transcendental entities that exist outside the dynamics of a community.[105] Thus, for communitarians, the notion of community should not be dismissed as a good. It is an independent source of value and, indeed, for Michael Walzer, community membership is the primary good upon which all other social goods depend.[106] It is only by attaching some intrinsic value to the notion of community that community obligations, whether voluntary or not, can be justified. For no duties can pertain to abstract man but only to community members.[107] Interestingly, T. H. Green held a similar view: the idea of a right is necessarily social and part of a social system of interlocking rights and obligations. In other words, one can only have a right as a member of a society in which some common good is recognised by its members as their own ideal good.[108]

Because de-ontological liberals focus on the centrality of rights and claims of moral autonomy, which are based on atomistic and abstract assumptions of the "unencumbered" self as a subject of rights, they are left with only non-

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[104] For Marx this understanding would also need to take account of economic and class contexts. For feminists and theorists of difference it would need to embrace issues associated with sexual, racial and ethnic identity.

[105] See Sandel, ***Liberalism and the Limits of Justice*** for a full articulation of this position.

[106] Michael Walzer, ***Spheres of Justice,*** p.63. Walzer has been accused of being relativist but he has sought to answer such charges in, for instance, ***Interpretation and Social Criticism.*** See the review essay by William Galston, "Community, Democracy, Philosophy: The Political Thought of Michael Walzer" ***Political Theory*** 17(No. 1 1989) 119-130 for a useful survey of Walzer's work.

[107] Charles Taylor, "Atomism," in ***Philosophy and the Human Sciences: Philosophical Papers*** 2, pp.187-211.

[108] T. H. Green, ***Lectures on the Principles of Political Obligation*** Section 25 pp.44-45.

political forms of (negative) liberty and an impoverished conception of political identity, agency and ethical life. It is only through shared conceptions of the good life and within the framework of a specific ethical political community that a meaningful moral life and real freedom can be enjoyed. The concept of freedom should not be understood in the negative sense, as pertaining to abstract moral rights, but rather in the way agents come to decide what they want and ought to do. In other words, communitarians emphasise a positive form of freedom that is located in the structures, institutions and practices of the social whole rather than the negative liberty of neutralist individualism.

Given their intellectual origins in a European tradition that places priority of the collective over the individual, communitarians favour civic virtue rather than negative liberty and public good and democratic participation over individual rights and an adversarial political culture. Rights and neutrality, posited by de-ontological liberals, do not lead to freedom as their proponents suppose, but serve as a source of social disintegration and constitute the principal impediment to a democratic society predicated on civic virtue. Instead, Communitarians emphasise the need for a political culture that privileges the communal practice of citizenship. For it is through pervasive social institutions that the practice of citizenship will become habitualised in character, custom, moral attitudes and conduct. Communitarians advocate involvement and participation in public life and because of the importance they place on mediating structures, such as small communities, clubs and

associations,[109] they are less fearful of an oppressive government emerging from any politics of the good than are many individualist liberals who see a politics of the common good as likely to result in intolerance.[110] In this respect they share a common bond with eighteenth-century thinkers such as Joseph Addison, Richard Steele, Lord Shaftesbury and Adam Smith.

The Binary of Individualism and Communitarianism?

In more recent writings, Rawls has attempted to deflect the communitarian criticisms outlined above by changing his ground and stressing that "justice as fairness is intended as a political conception of justice" as opposed to a metaphysical one.[111] It is a political conception of justice that is framed to apply to what he calls the "basic structure of a modern constitutional democracy."[112] In other words, Rawls is seeking to deflect the charges of universalism and abstraction by making the less exalted claim that his theory of justice does not necessarily have universal application and is applicable only to specific types of (liberal-democratic) societies that have developed through particular historical and social conditions. In his most recent work,

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[109] See especially Habermas, ***The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society.*** Trans. Thomas Burger with assistance of Frederick Lawrence (Oxford: Polity Press, 1989).

[110] Avineri & de-Shalit, "Introduction," in ***Communitarianism & Individualism,*** p. 9. Isaiah Berlin, ***Four Essays on Liberty,*** Karl Popper, ***The Open Society and its Enemies*** and Hannah Arendt, ***The Origins of Totalitarianism*** (London: Allen & Unwin, 1967) are exemplars of liberals who fear any form of a politics of the good.

[111] J. Rawls, "Justice as Fairness: Political Not Metaphysical" in Avineri & de-Shalit, ***Communitarianism & Individualism,*** p. 187. Rawls details his revised theory of justice in ***Political Liberalism.***

[112] By basic structure he means the main political, social and economic institutions and the modes by which they fit into one unified system of social co-operation.

however, he attempts to describe a global social order which each citizen can find legitimate despite vast differences in personal values.[113]

In redefining his theory of justice as political rather than metaphysical, Thomas Spragens suggests that Rawls has addressed the main points of the communitarian critique and so closed the "gap" between the rights-based liberals and the communitarians concerning the philosophical basis of legitimate political norms.[114] Richard Rorty makes a similar claim suggesting that in putting "democratic politics first, and philosophy second" Rawls is interested primarily in the "conditions for citizenship in a liberal society" rather than in conditions for the "identity of the self."[115] In other words, according to Spragens and Rorty, the distinction, drawn especially by Sandel, between deontological liberals, who postulate transcendental grounds for individual rights based on neo-Kantian metaphysics, and their communitarian critics, who look for situated selves and conceptions of the common good grounded in historical traditions, seems to disappear with Rawls' reformulated theory of political rather than metaphysical justice. Richard Bellamy thinks otherwise. In his view, Rawls cannot adopt the line, suggested by Rorty, that he is offering his theory as no more than an account of liberal democratic society as there is no reason to assume that such a form of society is inherently just. Indeed, its social and historical inheritance is

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[113] Rawls, ***The Law of Peoples: The idea of public reason revisited*** (Cambridge Mass: Harvard University Press, 1999).

[114] Thomas Spragens Jr. ***Reason and Democracy*** (Durham & London: Duke University Press, 1990) p.5.

[115] Richard Rorty, 'The Priority of Democracy to Philosophy" in ***Objectivity, Relativism, and Truth: Philosophical Papers,*** Vol. 1 (Cambridge: Cambridge University Press, 1991) pp. 189-191.

coming increasingly under attack or at least critical scrutiny. If Rawls is to make his theory at all persuasive, says Bellamy, he cannot avoid grounding it in a more comprehensive conception of the good.[116]

Will Kymlicka suggests that the distinctions between these two philosophical defences of liberalism are not, and never have been, as vast as they might have seemed and that, in fact, the epistemological and political aspects of the debate are linked. Both depend on some general assumption that disputes in moral and political theory can only be settled through proper understanding and or reshaping of our existing moral convictions and political institutions.[117] Elsewhere, in his writings on multicultural citizenship, Kymlicka has attempted to conciliate the individualist and communitarian streams by suggesting that it is possible to accommodate a wide range of group-differentiated rights within standard liberal theories without sacrificing core commitments to individual freedom and social equality.[118]

Bonnie Honig examines Rawls and Sandel as exemplars of the two "opposing" liberal positions, which she collapses into a single "virtue" theory of politics, and suggests they are on very similar ground in seeking to "silence" or "displace" politics. Rawls does this for the sake of a well-administered justice and Sandel for the sake of identity sustained by stable community. The effect of such displacement, claims Honig, is to prevent a

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116 Bellamy, ***Liberalism and Modern Society***, p.238-9.
117 Will Kymlicka, ***Contemporary Political Philosophy: An Introduction*** (Oxford: Clarendon Press, 1990) p. 7.
118 Kymlicka, ***Multicultural Citizenship: A Liberal Theory of Minority Rights*** (Oxford: Clarendon Press, 1995) p. 126.

radical rethinking of society and its settled convictions. In the end, therefore, Rawls and Sandel simply end up as "rival hermeneutists" competing with each other as to who shall be the "authorised reader" of contemporary (American) political culture. If they look more like an alliance than protagonists this, says Honig, is due to the fact that they have both worked to exclude and marginalise the "destabilising perspectives and characters" of "virtu" politics as exemplified in the work of Nietzsche and Hannah Arendt.[119]

Drawing on the theoretical resources of "post-structuralism," particularly those deriving from the works of Derrida, Foucault, Nietzsche and Heidegger, William Connolly mounts a critique of the individualist-communitarian discourse that is similar to Bonnie Honig's.[120] Basically he suggests that the debate between the two streams should be seen as an instance of the several binary theoretical perspectives that have characterised and constituted the terrain of modernity. Other debates, to which the individualist-communitarian debate are linked, include those between realism and idealism, empiricism and rationalism, democracy and totalitarianism, private interest and public good, technocracy and humanism, positive and negative freedom and utility and rights. [121]

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[119] Bonnie Honig, ***Political Theory and the Displacement of Politics*** (Ithaca: Cornell University Press, 1993).

[120] See William Connolly, ***Politics and Ambiguity*** (Wisconsin: University of Wisconsin Press, 1987) where he gives special attention to the debate which he revisits in later texts such as ***Political Theory and Modernity*** (Oxford: Basil Blackwell, 1988) and ***Identity/Difference: Democratic Negotiations of Political Paradox*** (Ithaca NY: Cornell University Press, 1991).

[121] Connolly, ***Political Theory and Modernity***, p.3.

As Connolly sees it, the two streams of contemporary liberal theory are two facets of one foundation that has sought to ground a specific "social ontology"[122] that has, in turn, sustained modern liberal democracies. This is somewhat similar to Skinner's analysis of the foundations of modern political thought outlined above. Instead of being grounded in a dominant ideology, however, Connolly sees the social ontology of modernity grounded in what Heidegger refers to as the "subjectum": the modern notion of the "cogito" or subject as the ground lying at the foundation of truth, which began with Descartes.[123] While the individualist branch of modern political theory has located subjectivity in the self through the medium of individual interests, rights responsibilities and knowledge, the communitarian branch has privileged the community or "inter subjective" background in which life is situated through virtues and forms of identification that link the individual to the wider whole.[124]

The problem, says Connolly, is that each branch tends to gravitate towards its own "ontology of concord," assuming that when properly constituted and situated, the individual or collective subject will achieve harmony with itself and other elements of social life. Any sign of discord, difference or otherness discerned in the actual world is seen as a sign that harmony is being prevented or blocked. Efforts to establish or restore harmony, whether in the individual or the collective, has resulted in a proliferation of what Connolly,

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[122] A concept which denotes a set of fundamental understandings about the relations of humans to themselves, to others and to the world.

[123] Martin Heidegger, "The Age of the World Picture" in ***The Question Concerning Technology and Other Essays***, Trans. William Lovitt (New York & London: Garland Publishing, 1977) pp. 127-8 and 147-8.

following Foucault, calls the "politics of normalisation." Conduct that does not comply with the standards of the norm reflects either incapacity in the individual or some sort of defect in community systems or institutions, which must be cured, punished, reformed or eliminated.

According to Connolly, both the individualist and communitarian positions tend to obscure the ambiguities and paradoxes inherent in modern society and thus screen out much of the "politics of normalisation." Individualists do this by locating subjectivity in the self as an individual with rights and interests. Communitarians, on the other hand, locate it in the common good, which has the potential to realise the essential good in the self. Both think that ambiguity and paradox (difference and otherness) can be resolved rather than simply expressed. Individualists tend to convert the results of normalisation into elements of the healthy, normal agent and communitarians into the good life we seek in common. Both say that if "properly" constituted the individual or collective subject can achieve harmony with itself and other elements of social life. Both implicitly agree that "otherness" is something that should be corrected, punished, eliminated or integrated and the dispute between them is how "normalisation" should proceed. Crucially, what they both fail to consider is that "otherness" or recalcitrant material may not fit neatly into any social order or self, no matter what form it takes, because recalcitrant material (otherness, difference or differance) that will not synchronise with fixed structures will always be a product of any such structure of self or society. There will always be some

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[124] Connolly, ***Politics and Ambiguity***, pp.9-10.

sort of "remainder."[125] Connolly follows Nietzsche, Heidegger, Foucault and Derrida in arguing that defences of modern liberalism, whether theorised by individualist or communitarian thinkers, fail to address the fact that there is a high price to be paid, in terms of normalisation, in constituting the liberal polity. As we shall demonstrate in part two, these concerns were recognised in the eighteenth century, specifically by Hume, Smith and Ferguson.

From a post-structuralist perspective, it can be argued that both the neutralist (Rawls, Nozick, Dworkin and Raz) and communitarian (Walzer, Sandel, Taylor and Habermas) streams of liberal thought fall within the sphere of the individualising/totalising problematic of modernity identified by Foucault.[126] Where the one aims to produce the self-made man the other strives to activate a communitarian citizen. While one emphasises the rights of the abstract individual, the other emphasises the duties of the citizen and the universalism of rights is posed against universal conceptions of the good. There is no disagreement between the two over the desirability or possibility of attaining liberty, but rather over the way this is to be secured. Individualists seek to do this through a politics of rights, while communitarians see the key as community identification.

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[125] *Ibid*, pp. 8-11.

[126] Foucault, "Politics and Reason" in Lawrence D. Kritzman (ed) ***Michel Foucault: Politics, Philosophy, Culture: Interviews and other writings 1977-1984*** (New York: Routledge, 1988) pp. 84-5 Foucault suggests that the state is both individualising and totalising and that it is just as "hazardous" to oppose the individual and his interests against the state as it is to oppose it with the community and its requirements.

While the individualist paradigm can be legitimately criticised for its abstraction, it can be argued that communitarians face the same problem. Their own political values and concerns of community, civic virtue and the common good appear to be as abstract and free-floating as those of rights-based liberals. Other theorists have mounted comparable critiques of communitarianism. Spragens, for example, suggests communitarians have difficulty in articulating "constructive and affirmative" philosophical foundations and can do little but point rather weakly to the traditions and norms of civic republicanism. While he is sympathetic to much in the communitarian position and has been critical of liberalism's over reliance on "reason,"[127] he sees the need for a "more profound and explicit philosophical grounding for the norms of communitarian republicanism." This he considers analogous to John Dunn's continuing plea for a more adequate theory of collective prudence that can provide a plausible philosophical basis for the communitarian view of a healthy democracy.[128]

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[127] See Spragens, ***The Irony of Liberal Reason*** (Chicago: University of Chicago Press, 1981) in which he traces the development and ascendancy within liberalism of the "calculative ideal." He does not seek to abandon liberalism's connection with reason in public life, but to rehabilitate and refashion a contemporary understanding of practical reason.

[128] Spragens, ***Reason and Democracy***, p. 8. See for example, John Dunn, ***Rethinking Modern Political Theory*** and ***Western Political Theory in the Face of the Future*** (Cambridge: Cambridge University Press, 1993).

The Revival of Liberal Political Economy

The other major revival, during the 1970s, was of liberal political economy, as exemplified in the work of Friedrich August von Hayek, Milton Friedman and other market theorists. This posed the liberal problematic somewhat differently, rejecting the "touchy-feely" aspects of Communitarian theory and its interventionist assumptions. In this Hayek shared and, indeed, drew upon a neglected tradition of Anglo-Scottish thought concerned with the character of government and the self.

Friedrich Hayek: Spontaneous Order and the Rule of Law

Drawing on the work of the Austrian School's founder, Carl Menger (1840-1921), his teacher, Friedrich von Wieser (1851-1926) and his colleague, Ludwig von Mises (1881-1973), Friedrich Hayek (1899-1992) developed an economic theory which simultaneously utilised and reformed the central insights of classical British political economy. Of particular note is Hayek's repudiation of the objective theory of value which he replaced with a subjectivist individualistic methodology. Hayek argued that the value of an asset or resource is conferred by the preferences and valuations of individuals rather than by any objective properties it might possess, and this theory underpinned a micro-economic perspective which challenged the prevailing macro-economic theory of his contemporary, "new" liberal John Maynard Keynes. Hayek also rejected ideas of general equilibrium in favour of the notion of a spontaneous order that underlies the institutions of the market and common law. Hayek maintains allowing individuals to interact on their own initiative, within a framework of rules which apply to all,

establishes order. As we shall see, the notion of a spontaneous order is an important sub-theme in liberal political thought with a heritage that derives from Bernard Mandeville and runs through David Hume, Adam Smith, Adam Ferguson, other key thinkers of the Scottish Enlightenment and, of course, Edmund Burke.

While Keynes' theories flourished during the post war period, Hayek's economic project was out of fashion. Nevertheless, his theories made a significant return during the 1970s as the Keynsian paradigm disintegrated.[129] Indeed, in his later writings, Hayek clearly sees the major threat to liberty in the West coming, not from the malice of enemies in the guise of communism, but instead from the ignorance of friends in the form of revisionary liberalism and the welfare state. ***The Constitution of Liberty (1960)***, Hayek's major contribution to political philosophy, in which he presented a strong critique of what he called the "mirage" of social justice, has been described in glowing terms by John Gray as "...without doubt the most profound and distinguished statement of the case for liberty this century."[130]

In general terms, Hayek's writings can be said to reflect a desire to understand or come to terms with the repercussions of the First World War when the "high culture" of European civilisation was perceived to

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[129] John Gray, ***Liberalism***, pp. 38-9. The influence of Hayek was so great during the 1970s and 80s that he was awarded (jointly with Gurnar Myrdal) the Nobel Prize for Economic Science in 1974 and in 1984 he was made a Companion of Honour for services to economics.

[130] ***Ibid***, p.38. Bearing in mind, of course, the major shifts that Gray's thought has since undergone.

degenerate into chaos and barbarism. Through his researches into the sources of the "malaise of civilised authority," Hayek developed a specific theory of knowledge and philosophical psychology that sought to explain these phenomena in terms of a false understanding of the human mind. It is important to understand, therefore, that all Hayek's work in political philosophy and economic theory was framed within an epistemology that can be described as an "anti-rationalist," or, more accurately, a "critical-rationalist," sceptical variant of Kantianism which focused on a version of the thesis that practice is primary in the constitution of knowledge.[131]

Nevertheless, Hayek accepts much of the Kantian epistemological package. Specifically, he accepts that we cannot know things in themselves, or step outside the categories that govern understanding. Our minds are not passive receptors of sensory data, but creative powers which impose order on primordial chaos; and philosophy is reflexive and critical rather than transcendental and constructivist.[132] His own theory of knowledge, however, goes far beyond Kant in denying that the governing principles of the mind are fully knowable. According to Hayek, the categories of the mind are not immutable or universal. Instead, they express evolutionary adaptations to a world that is unknowable. We are governed by "meta-conscious rules" - rules of action and perception - which structure experience

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131 This latter claim also places him within a notable tradition of thinkers that includes Oakeshott, Wittgenstein and Heidegger.

132 See John Gray, ***Hayek on Liberty*** (Oxford: Basil Blackwell, 1984) pp. 4-8, who argues that "all" Hayek's work is informed by a distinctively Kantian approach. Interestingly, however, Hayek does not stress the Kantian influence himself. See Hayek, ***New Studies in Philosophy, Politics, Economics and the History of Ideas*** (London: Routledge & Kegan Paul, 1978) pp. 51-2.

and behaviour and many of which necessarily elude the powers of critical enquiry. In other words, the powers of reason are more severely limited for Hayek than they are for Kant. The most distinctive feature of Hayek's epistemology, therefore, is the insight that all our theoretical and explicit knowledge presupposes a vast background of tacit, practical and inarticulate knowledge, much of which necessarily escapes conscious scrutiny.[133]

To be more specific, Hayek attempted to refute the widely held, but erroneous, view of what, he called "constructivist rationalism." That is the notion that all social institutions are and should be the product of deliberate design, which is based on an equally false conception of the human mind as something located outside the "cosmos of nature and society." Proponents of this view have, he claims, generally misunderstood the forces that have made possible, what Adam Smith called the "Great Society" and Karl Popper christened the "Open Society." While Hayek did not reject reason, he favoured what he called "evolutionary reason," which was close to what Popper called "critical reason." In this context the human mind should be understood as a product of the same evolutionary process through which social institutions are "grown."[134] As we shall see in Chapter Four, this idea is rendered explicit in Bernard Mandeville's thought.

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[133] Gray, "Hayek as a conservative" in ***Post-Liberalism***, pp. 33. See also Gray, ***Hayek on Liberty***, p. 14 where he suggests that this insight can be compared to Gilbert Ryle's concept of "know how," Michael Polanyi's notion of "tacit knowing," and Michael Oakeshott's "traditional knowledge."

[134] Hayek, ***Law, Legislation and Liberty: A new statement of the liberal principles of justice and political economy***, Vol. 1, ***Rules and Order*** (London: Routledge & Kegan Paul, 1973) pp. 5-6.

According to Hayek, constructivist rationalism is committed to the idea that human institutions are and must be deliberately designed to cater for human needs. This view has a long history, originally rooted, says Hayek, in the deeply ingrained propensity of primitive thought to interpret the regularity and order of nature anthropomorphically, as the result of a designing mind, in one form or another. Just as man was beginning to liberate himself from such a naïve conception,[135] it received a powerful boost from the stream of rationalist philosophy, largely inaugurated by Descartes.[136]

Cartesian constructivism, with its dualistic understanding of an independently existing mind substance, which is external to nature, was generally contemptuous of tradition, custom and history, privileging the human capacity to use reason to design and construct the institutions of society. Thus morals, law, religion, language, writing, money and the market were all thought of as deliberately constructed, and there was an accompanying tendency to see man as a creature with the capacity to master both his environment and himself. The fullest expression of this intentionalist view was, says Hayek, realised in the notion of a social contract

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[135] Hayek points to the Spanish Jesuits as possessing some form of an evolutionary view, which he argues, was submerged by sixteenth and seventeenth century rationalism. ***Rules and Order***, p. 21.

[136] ***Ibid***, p. 9. See also Hayek, "Kinds of Rationalism," in ***Studies in Philosophy, Politics and Economics*** (London: Routledge & Kegan Paul, 1967) p. 94 where he describes how this became the dominant conception of the Age of Reason. While he concedes that even Kant did not escape its influence, particularly through Rousseau and the French rationalists, Hayek tends to omit Kant's name from the list of rationalist offenders he sought to refute. One could speculate that this owed much to the fact that Kantianism influenced a great deal of Hayek's early intellectual development.

as providing a guideline for judging whether existing institutions were to be affirmed as being rational.[137]

Against this erroneous interpretation of how social institutions are formed, Hayek posits an evolutionary explanation,[138] which rose to prominence during the eighteenth century, particularly in the field of economics, most especially in the work of Bernard Mandeville, David Hume, Adam Smith and Adam Ferguson. They, in turn, were influenced by the tradition of English common law thought, especially as it manifested in the work of Sir Matthew Hale. In Hayek's view it was through the work of Edmund Burke that the consequences for political theory of the evolutionary approach received their most explicit formulation. Nevertheless, this development was set back by the intrusion of the constructivism of Benthamite utilitarianism and philosophical radicalism, which implied humans were naturally rational beings whose behaviour was driven by a cost/benefit calculus.

It was only with the Austrian School of Economics that the problem of the spontaneous formation of institutions received a new lease of life in the twentieth century, particularly through the work of Hayek.[139] This in turn had a dramatic effect at the London School of Economics that flowed on,

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[137] Hayek, *Rules and Order*, p. 10.

[138] Hayek makes it clear that the biological conception of evolution, as deployed by Darwin and his followers, was largely learned from the social sciences and not the other way round, as is often mistakenly supposed. *Ibid.* p. 23. He himself sketched out a theory of social change that was broadly evolutionary in the three-volume work, ***Law, Legislation and Liberty***.

[139] Hayek, *Rules and Order*, p. 22.

through Lord Ralph Harris and Sir Keith Joseph, to the Institute of Economic Affairs, the "think-tank" of Thatcherite economic reform.

According to this view, the orderliness of society was not the product of deliberately invented institutions and practices.[140] Instead, it was largely due to a process of "growth" or "evolution," whereby practices, which may have been accidentally stumbled upon or even developed for other purposes, were preserved because they enabled the group, in which they had arisen, not only to survive but to improve themselves to the point where they were able to prevail over others.[141] In other words, many of the institutions of society, which have become indispensable supports for the pursuit of human ambitions, are in fact contingent and the result of customs, habits or practices which were never deliberately invented with any particular purpose in view. Social structures are the result of a contingent process of "winnowing and sifting."[142]

According to Hayek man is as much a "rule-following animal" as he is a "purpose seeking" one and the reason he has been successful in civilising himself is because his thinking and acting are governed by rules which have "...by a process of selection been evolved in the society in which he lives,

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[140] See Karen I Vaughn, "The Constitution of Liberty from an Evolutionary Perspective," in Norman Barry (ed) *Hayek's Serfdom Revisited* (London: Institute of Economic Affairs, 1984) pp. 119-142, for a useful analysis of Hayek's evolutionary approach and a critique of the idea that there could be an evolutionary process in politics.

[141] Hayek, *Rules & Order*, p 9.

[142] Hayek, *Law, Legislation & Liberty*, Vol. 3, *The Political Order of a Free People* (Chicago: University of Chicago Press, 1979) pp.154-5.

and which are thus the product of the experience of generations."[143] In short, the order of society has largely arisen because effective institutions have prevailed in a process of competition. In this it can be compared to the order of minds and bodies which are undesigned and spontaneous and not the product of rational planning. It is a "grown" rather than "made" order, a distinction made by the classical Greeks through their respective use of the terms "cosmos" and "taxis."[144]

Constructivists commit the epistemological error of "synoptic delusion:" the fiction that all the relevant facts are in principle knowable, and by a single mind, which can construct from this knowledge of particulars a desirable social order. Hayek denies this. Human beings are incapable of knowing all the concrete facts which make up the complexity of any given context, environment or social order. As we shall see, the significance of this observation was first recognised in the field of economics where it was understood that the economy of a society was made up of multiple flows, interactions and relations between individuals, businesses and households. Indeed, the principle of division of labour, which as we shall see in Chapter Three, has a long history, overtly respects this principle. Far less stress has been placed, however, on the "fragmentation of knowledge," such that each individual member of society can only possess a tiny fraction of the knowledge possessed by all and that each is consequently ignorant of most of the knowledge upon which the successful working of that society rests. In short, says Hayek, civilisation rests on the fact that we all benefit from

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[143] *Ibid*, p.11.

knowledge which we do not and cannot possess, for no mind can take account of the particular facts known to some but not as a whole to any one individual.[145] Here we can detect the influence of Adam Smith in particular.

The corollary of this is that the human mind must be understood as a product of its social environment rather than something that exists as a fully developed entity with the capacity to design and develop institutions. The cultural heritage into which an individual is born already comprises a complexity of rules or practices of conduct which have evolved over time to prevail because experience has demonstrated that they are effective in maintaining a particular social order and making its inhabitants more successful than others.[146]

> *The important point is that every man growing up in a given culture will find in himself rules, or may discover that he acts in accordance with rules – and will similarly recognize the actions of others as conforming or not conforming to various rules. This is, of course, not proof that they are a permanent or unalterable part of 'human nature,' or that they are innate, but proof only that they are part of a cultural heritage which is likely to be fairly constant, especially so long as they are not articulated in words and therefore also are not discussed or consciously examined.*[147]

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[144] Hayek, ***Rules & Order***, p. 36.
[145] ***Ibid***, pp.13-16.
[146] ***Ibid***, p. 17.
[147] ***Ibid***, p. 19.

Importantly, human beings do not possess knowledge and the capacity to reason independent of experience. Reason is an integral component of experience and most effective when its limitations are properly understood. These limits are set by institutions such as the market and common law that have evolved spontaneously over many generations. The artifices of institutions and traditions are necessary to enable the drives of human nature to be channelled in benign directions. As Bernard Mandeville might put it, it is through the pursuit of private interests that the public interest is indirectly served. To dismantle these institutions and abandon the knowledge they contain; believing new ones can be imposed without serious social dislocation is, for Hayek, a modern intellectual conceit that has had particularly disastrous consequences in the twentieth century.

Thus we can say that Hayekian liberalism is committed not to a full scale rejection of reason, but to restricting deliberate control of the overall order of society merely to the enforcement of general rules which are necessary for the formation of a spontaneous order, the details of which can never be foreseen.[148] In Hayek's view, the institution that most protects the political freedom of individuals is the rule of law, which binds both private and public individuals alike.[149] Because rational principles of social life are immanent in its practices and not in mental categories, Hayek argues that we cannot trust the powers of speculative reason to bring about political, legal

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[148] *Ibid*, p.32
[149] Hayek, ***The Road to Serfdom***, (London: Routledge & Kegan Paul, 1976) p. 72.

and economic reform.[150] Indeed, ***The Constitution of Liberty*** is dedicated to demonstrating the importance of devising the right set of rules to enable liberal society to flourish. It is through social spontaneity and the rule of law that coercion – people being bullied, pushed around or forced by others to do what they do not wish – is minimised.

Hayek thus favours the spontaneous order that he sees occurring within the institutions of the free market and common law. Laws as general abstract rules possess the characteristics of predictability and impartiality[151] Consequently; they constitute the least coercive means of constraining the actions of men. Within the "Great Society" government is the organisation that frequently occupies a special position ensuring the rules are obeyed. But it should restrict its activities to the barest minimum, being more like the "maintenance squad of a factory," which sees to it that the mechanism which

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[150] Nevertheless, Hayek does concede that deliberate organisation has a role to play in many limited tasks so that the two types of order - deliberate and spontaneous - will frequently co-exist in a complex society. Multiple organisations and associations of human beings will form in a "free society" through which groups of individuals will pursue certain ends and ambitions, and their co-ordination in a social order is brought about spontaneously. But the two types of order cannot be combined at will because each type of order has its own set of rules which govern the actions specific to it: those rules in small organisations pertain to the performance of fixed and limited tasks; while those governing a spontaneous order must be applicable to all members, or at least whole classes of members of a society. In other words, to an unknown and indeterminable number of persons. These two kinds of rules have spawned two entirely different conceptions of law. (See Hayek, ***Rules & Order***, p. 51) Thus for Hayek the conditions which are most conducive for human beings to achieve their aims are those brought about in a society where all are allowed to use their knowledge for their own purposes, restrained only by rules of just conduct which have universal application and where the use of coercive power is limited by general principles to which the community has committed itself.

[151] On this see Arthur Shenfield, "Law," in Arthur Seldon (ed) ***Agenda for a Free Society: Essays on Hayek's The Constitution of Liberty*** (London: Institute of Economic Affairs, 1961) pp. 51-68.

regulates the production of goods and services is kept in working order, rather than a social designer, architect or engineer.[152]

The development of civilised institutions, such as the market and law, have made freedom possible, which is for Hayek the most important outcome of the development of civilisation. A Hayekian understanding of liberty is couched exclusively in terms of personal freedom and is distinct from concepts of political, inner or positive freedom.[153] Personal freedom presupposes the individual has some "assured private sphere" that prevents interference by others.[154] Hayek offers two justifications for the importance of personal liberty. The first is a Kantian argument that coercion is evil because it instrumentalises the individual making him a "bare tool in the achievement of the ends of another."[155] The second is a utilitarian argument, derived from Mill, which sees liberty as fundamental to the progress of civilisation. From this he extrapolates the view that choice is vitally important and different choices must be tolerated because no one has sufficient information or overt knowledge to evaluate alternatives and so prescribe the best solution:

> *The case for individual freedom rests chiefly on the recognition of the inevitable ignorance of all of us concerning a great many of the factors on which the achievement of our ends and welfare depends...we must recognize that the advance and even the preservation of civilization are dependent upon a maximum of opportunity for accidents to happen.*[156]

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[152] *Ibid*, p. 47.
[153] *Ibid*, pp. 13-16.
[154] *Ibid*, p.13.
[155] *Ibid*, p.21.
[156] *Ibid*, p. 29.

Thus the progress of civilisation depends on ensuring the appropriate conditions in which trial and error can operate. What this amounts to, effectively, is a tautologous claim that the pre-requisite of liberty is liberty itself.

Based on a theory of knowledge that sees practice as primary, Hayek mounted a case against all forms of rational government planning, including (and especially) socialism, revisionary liberalism and any other forms of market intervention. All political movements which aspire to some form of rational government are attempts to achieve the impossible, in Hayek's view, because they seek to translate the inarticulate background of tacit practical knowledge into explicit theory and to govern social life by rational doctrinal means. In other words, Hayek sought to deconstruct the Enlightenment belief that social institutions of the law, language, morality and the market must be or can become products of conscious contrivance and control if they are to serve human purposes effectively. Thus, for Hayek, all forms of market intervention are not only morally reprehensible in that they violate individual liberty, but also epistemologically flawed because they derive from a false philosophy of mind. Only tacit knowledge can engender government. The problem is, however, that this type of knowledge does not lend itself to translation into overt and explicit forms.

In the same way that Hayek rejected the feasibility of comprehensive rational economic planning, so he eschewed a legal system dominated by statute, seeing the contemporary recourse to legislation as a major threat to liberty and social stability. Just as no economic plan can match the sensitivity and

subtlety of market processes, so statutory legislation cannot match the sensitivity of the common law (providing it has a strong and independent judiciary) "...in responding to and adjudicating concrete problems of man's social existence."[157]

The two issues of economic planning and rule of law are intrinsically linked for Hayek. He saw the rise of the administrative state, with its projects of redistribution and social welfare, as a major threat to the rule of law and to individual liberty. In his view, governments which intervene to regulate prices and incomes, effectively transfer huge powers to administrative authorities which are typically captured or colonised by social movements and professions whose outlook and interests are deeply at odds with the preservation of established ways of life, and which exercise enormous discretion over the lives and fortunes of citizens.[158] The decisions made by these bodies, who seek to cloak their arbitrary nature in the "mirage" of social justice, are not contained within the rule of law for they depend upon claims to knowledge which, according to Hayek, cannot be accessed by anyone. Law, like language and the market, was invented by no one and in its most basic form provides abstract rules that are the best hope for guaranteeing personal freedom. The blurring of the distinction between law and administration is one of the greatest dangers to maintaining a liberal society. This can be likened to Foucault's concern with the way in modern

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[157] Gray, ***Post-Liberalism***, p. 36.

[158] Indeed, as he sees it, one of the dangers of unlimited democracies is the invitation they provide special interest groups to seek to further their own ends through government at the expense of the general welfare. Hayek, ***Political Order of a Free People***, pp. 13-17.

society that the law has been increasingly colonised by the therapeutic practices of the social sciences.

Paradoxically, an important implication of Hayek's understanding of freedom is the strong role he sees for the state in maintaining conditions conducive to such liberty. If the coercion of one individual by another is to be reduced to a minimum, the state has a significant role to play in eliminating coercive relations between individuals, which it is able to do through the even greater threat of coercion. Coercion "...cannot be altogether avoided, because the only way to prevent it is by the threat of coercion." By establishing a monopoly of coercion throughout society the state will be able to secure the conditions conducive to personal freedom and hence justify its own existence. The coercive power of the state is reduced to a minimum and rendered as innocuous as possible, says Hayek, by being restricted to a series of abstract, clearly articulated, general rules which all have to obey.[159]

Clearly Hayek does not regard the state as one of the core institutions whose evolution has made possible the spontaneous order and the exercise of personal freedom. The state is necessary to protect market order, but is a contrivance always in danger of exceeding its proper limits. Similarly politics is a negative activity which is simultaneously the means for guaranteeing market order and individual freedom and the main threat to it. It is both necessary and distasteful.

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[159] Hayek, *Constitution of Liberty*, p. 21.

Ultimately, Hayek is forced to confront the classic liberal dilemma: personal liberty is premised upon the existence of a state that possesses strong coercive powers, yet the state's role must be limited strictly to this function for once the state has a monopoly of coercive power how can it be prevented from transgressing the limits of its legitimacy and abusing its power to coerce citizens in illegitimate ways? Once Leviathan is created to ensure freedom for citizens from most forms of private coercion, the problem is how Leviathan itself can be controlled.[160] In other words, Hayek is left with the classic dilemma of liberal political thought: How can the state restrain itself from violating the limits of its authority? In his reply, Hayek draws from Locke, Mandeville, Hume and Smith to argue that a constitution of liberty is necessary to ensure a government of laws rather than one of men. In other words, the only practical means by which it is possible to place limits on the coercive powers of the state is through the rule of law.

According to an early manifestation of John Gray, Hayek has produced a defence of liberty that has freed classical liberalism from the burden of "hubristic rationalism," by aiming to reconcile modern individualism with the claims of tradition. In showing that we rely primarily on inherited traditions of thought and conduct in all our dealings with each other, he renders explicit the need to remove artificial impediments to the vitality of our traditions, which have been imposed by the state. [161]

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[160] Andrew Gamble, "Hayek: The Constitution of Liberty," in Forsyth & Keens-Soper (eds) ***The Political Classics: Green to Dworkin***, p.177.

[161] Gray, ***Post-Liberalism***, pp.37-38. As I have already pointed out, in his most recent work, Gray mounts a critique of free-market economics.

Thus, it can be said that in describing the characteristics of a free society Hayek developed Adam Smith's notion of a social order as one which results from the unintended consequences of human action, which derived in turn from evolutionary ideas put forward by Mandeville and Hume. In this sense Hayek stands between the notions of natural and consciously created organisations. An economy is a spontaneous order that emerges from the purposeful actions of individuals, but is as a whole intended by no one. Such an order is, however, only possible because individuals follow rules that make their behaviour predictable. So, to some extent, the type of spontaneous order that emerges depends on the rules people follow, both in their private and public dealings.

Hayek thus rendered explicit what Foucault called the "freedom-regulation" problem. On the one hand, he argues the need for a wide sphere of economic and social liberty. On the other hand, he recognises that the conditions for liberty are not natural and that they require a substantial role for the state in bringing them about, most especially through general rules and laws, which apply, to all. Indeed, the conditions for liberty have been hard won and represent the crowning achievement of civilisation. Yet, it must be understood that for Hayek the need for a strong state is crucial to ensuring the conditions for freedom survive.

It could be said that, at a general theoretical level, twentieth century neo-classical political economists have assigned a high priority to political freedom. In so doing they make the important claim that political freedom is strongly connected to the market and economic freedom. As Milton

Friedman puts it: "competitive capitalism...promotes political freedom because it separates economic power from political power and in this way enables the one to offset the other."[162] Thus, political freedom is distinct from, and indeed threatened by, all forms of "unlimited democracy," which in Hayek's view leads to illiberality, hence the privileging of limited democracy.

CONCLUSION

The regeneration of liberalism after 1971 has revived and resituated the classic dilemmas of liberal epistemology. On the one hand the revival of Kantianism by Rawls reintroduced the notion of the unencumbered self and all its attendant problems of abstraction. This prompted a critique from Communitarians who see the self as one embedded or situated within and constructed by community. On the other hand there was a revival, through Hayek, of the classical liberalism of eighteenth-century British thinkers such as Mandeville, Hume and Smith, who see the liberal self as a being, moved and governed by its somewhat arbitrary interests and passions. This posed, and continues to pose, a substantial challenge to European thinkers of both Kantian and communitarian varieties.

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[162] Milton Friedman, ***Capitalism and Freedom*** (Chicago: University of Chicago Press, 1962) p.9.

The impact that Hayek and Friedman have had on the revival in the West of neo-liberal economic and social policies prompts a deeper enquiry into the history of this body of thought. Clearly Hayek's work constitutes an important link with eighteenth-century political thought and shows why an analysis of Mandeville, Hume and Smith, whom he regarded as his intellectual forebears, is vital to understanding some of the technologies of neo-liberal government which currently prevail. This task will be tackled in Part Two of this dissertation.

PART TWO

EIGHTEENTH CENTURY CONFRONTATIONS WITH THE "FREEDOM-REGULATION" PROBLEM

CHAPTER THREE
British Political Thought and the Subject of Interests and Passions

Introduction

This chapter traces the complexity with which the (neo-liberal) subject of interests and passions emerged, and does so in order to analyse the role it played in creating the conditions of possibility for a liberal art of government.

The passions-interests problem was a difficult one for eighteenth-century thinkers. A key argument of this dissertation is that the ambivalence surrounding it is central to the liberal art of government, giving rise to the "freedom-regulation" problem. On the one hand, the human passions were deemed so potentially destructive as to need taming, domesticating or "schooling," and an enormous amount of energy was expended in locating the best mechanism for their ordering. In this quest some thinkers continued to look to the traditions of natural law and reason, others to natural benevolence, the sentiments and conscience. Yet another group of eighteenth-century thinkers considered reason ineffectual for the task of governing conduct and they looked, instead, to the "calm" passion of interest, which gradually emerged as the paradigmatic mode through which most human action could be explained and controlled. However, deep undercurrents of reservation accompanied this civilising project. Indeed, there is a great deal of evidence to suggest that for many thinkers during the eighteenth century, rather than offering a solution to the problem of governing conduct, the figure of the subject of interests and passions was, in fact, an extremely dangerous development which threatened to render

individuals both morally and physically corrupt. This chapter offers an analysis of these differing currents of British thought.

Key Problems for Eighteenth Century Political Thought

As we have seen, it was Foucault's view that the "discovery" of an empirical subject of interests helped lay the conditions of possibility for a liberal art of government. This new character in the social landscape established a fresh set of problems for political thought in terms of governing self and society. It is this character, which we will call instead the subject of interests and passions, that will be examined in this chapter.

Foucault tells us that from the seventeenth century onwards political theory was preoccupied with two key problems. The first was a juridical problem concerned with the foundations of sovereignty and justifications for government – who is entitled to govern and on what basis can individuals justifiably submit to government. The second was a technical problem concerned with the art of governing men in society; that is locating principles and techniques through which relations of power can be exercised in the best and most efficient way.[1] This can be compared to John Locke's much earlier observation that "politics contains two parts, very different the one from the other. The one, containing the original of societies, and the rise and extent of political power; the other, the art of governing men in society."[2] In other words, both Locke and Foucault identify the key issues for political thought, from the seventeenth century onwards, as a juridical concern with legitimating the basis of government and a concern for developing practical

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[1] Michel Foucault, "Problematics," in S. Lotringer (ed) ***Foucault Live: Collected Interviews, 1961-1984*** (New York: Semiotext(e), 1996) p.419.

[2] John Locke, "Some Thoughts concerning Reading and Study for a Gentleman," ***The Works of John Locke,***Vol. III (London: Thomas Tegg, 1823) p. 296.

techniques for governing the self. These themes were pursued through discourses of law on the one hand, and morality, reason, conscience and the practical technique of specialisation, on the other.

Both the juridical and technical approaches can be seen as responding, at least partially, to the problem of governing or managing conduct, which emerged with particular force in the late sixteenth and early seventeenth centuries. Yet before examining the two different approaches to the problem of government, Foucault's somewhat problematic account of the part played by the empirical subject of interests in the story of liberalism deserves further consideration. The problem is that, although he points to British empiricist thought as facilitating the development of a liberal art of government that can accommodate the new figure of subjectivity, Foucault tends to overlook the fact that there was a distinctly "British" dimension to the problem of government of self and society in the eighteenth century.

Indeed, there was a constellation of distinctive "British" problems that had a bearing on the development of a liberal art of government. The first concerned the difficulty of governing a territorial state which comprised several "nations" ruled over by a multiple monarchy, following the accession to the thrones of England and Ireland, of the Scottish Stuart dynasty from 1603. The second related to the differing legal and constitutional traditions that existed in the various realms.[3] Indeed, the background of revolutions

[3] Differences between England, Scotland and Ireland were quite profound. While England tended to dominate Britain after 1691, and a clear sense of British nationhood began to develop, it did so alongside a still strong emphasis on the separate identities of England, Scotland and Ireland. The sense of separation was not replicated in Wales, which was incorporated as a Principality into the Kingdom of England between 1536 and 1543. Despite the fact that over 80% of the population spoke Welsh, Wales lacked centralising institutions or social, ecclesiastical and legal arrangements that corresponded with its linguistic distinctions. See Jeremy Black, ***The Politics of Britain 1688-1800*** (Manchester: University Press, 1993) pp. 15-16. See also Brendan Bradshaw and John Morrill, ***The British Problem c. 1534-1707: State Formation in the Atlantic Archipelago*** (London: Macmillan, 1996) who seek to conceptualise the relationship between the Kingdoms of

(Civil War, Restoration and the Glorious Revolution of 1688); as well as the complications pertaining to the Stuart Triple Monarchy, the Act of Union of 1707 and the Jacobite uprisings of 1715 and 1745, all contributed to creating a general climate of instability. As John Pocock remarks, "...British history...denotes the historiography of no single nation but of a problematic and uncompleted experiment in the creation and interaction of several nations."[4] This posed serious problems for British thinkers as traditional approaches to the subject of government based on religion, natural law and reason were transformed. It was in this context that a group of eighteenth-century thinkers in the post-Locke period, grappled with the political implications of the problems of character, self and the governing of conduct.

Before we consider these various approaches more needs to be said about the character of British political and legal thought in the late seventeenth and eighteenth centuries.

The Distinctive Character of British Political Thought

The extent to which the eighteenth-century British political ethos can be seen as distinct from its Continental counterparts is complex. There were some obvious socio-economic differences between British and Continental societies. Perhaps the principal distinguishing feature in this respect was the relative sophistication of England's primary financial institutions, especially the Bank of England, which was established in 1694.[5] Other crucial differences flowed

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England and Scotland and their relationship between the Kingdom of Ireland and Principality of Wales; and to trace the development of a triple monarchy. In short they offer a study of state formation but not necessarily the formation of a single state.

[4] J.G.A. Pocock, "The Limits and Divisions of British History," *American History Review*, 87 (2, 1982): 318, cited in Bradshaw & Morrill, *The British Problem*, p. 1.

[5] On this see John Brewer, *The Sinews of Power: War, Money and the English State, 1688-1783* (London: Unwin Hyman, 1989).

from the Reformation, which established a Protestant state; as well as the multiple monarchy and the background of revolutions. But there has been a great deal of rhetoric attached to the Whig view of British history that has emphasised a linear progress marked by the rise of liberal individualism and the triumph of the bourgeoisie in the eighteenth century. In this context, the "Glorious Revolution" of 1688 played a vital role in fuelling the Whig interpretation that claimed the triumph of a liberal and tolerant spirit and the creation of a civilised political world fit for Englishmen, which was perceived to be threatened by the Jacobite challenge.

This interpretation has, however, been challenged by more recent scholarship.[6] Those such as Jeremy Black and J. C. D. Clark have drawn attention to discernible patterns of similarity in certain structures and institutions between England and other European social systems of the "ancien regime" in the period 1688 to 1832. Thus, contrary to the Whig myth, that stressed the gradual rise and triumph of liberal individualism and the "bourgeoisie," the revisionist view claims that the dominant structures of England's "ancien regime" were largely aristocratic and monarchical and the fundamental configuration of power relations hierarchical, male dominated, based on inheritance and referential to the past.[7]

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[6] See J. G. A. Pocock, ***Virtue, Commerce and History: Essays on Political Thought and History, Chiefly in the Eighteenth Century*** (Cambridge: University Press, 1985) especially Ch. 11, in which he offers a detailed account of the "history of ideology and discourse" of the varieties of Whiggism, that includes analysis of those who have challenged the "Whig view of history." See, also J. P. Kenyon, ***Revolution Principles: The Politics of Party 1689-1720*** (Cambridge: Cambridge University Press, 1977).

[7] See especially J. C. D. Clark, ***English Society 1688-1832: Ideology, social structure and political practice during the ancien regime*** (Cambridge: Cambridge University Press, 1985) and Jeremy Black, ***The Politics of Britain 1688-1800*** (Manchester: Manchester University Press, 1993). A second edition of Clark's book has recently been published: Clark, ***English Society 1660-1832: religion, ideology and politics during the ancien regime*** (Cambridge: Cambridge University Press, 2000).

Perhaps the crucial distinction between British and Continental thought lay in the discourse surrounding the peculiar character of English legal and constitutional thought. Thus, although the Whig view, which posited a unique trajectory of British tolerance and liberal individualism has been somewhat discredited, there nevertheless remains a significantly different "English" understanding of law and obligation mediated through the unwritten constitution. This has had a profound impact on British self-understanding from Locke through Mandeville, Hume, Smith and Burke down to Hayek.

According to Pocock, the significance of the law in determining the make up of sixteenth and seventeenth century thought in the various countries of Europe was such that each nation's thought about its past was deeply affected by the character of its law and the ideas that underpinned it. Indeed, there was a renewed interest in appealing to some form of "ancient constitution" in a range of European countries where local or national privileges, liberties and constitutions were perceived to be under threat from the authority of kings. Appealing to certain rights rooted in ancient law, which no king could invade, was seen as one way of defending threatened privileges or liberties.[8] In the case of England, it was the role of parliament and the common law whose ancient character was emphasised and defended by Sir Edward Coke and Sir Matthew Hale in the sixteenth and seventeenth centuries and by William Blackstone and Edmund Burke in the eighteenth.

[8] In France, for instance, Francois Hotman asserted the antiquity of the assembly of the nation; while in Sicily, the ancient character of baronial privilege was endorsed by Pietro de Gregorio. Similar defences were made of the sovereign and independent Dutch towns by Francois Vranck in the Netherlands, and of Swedish nobles by Erik Sparre. Pocock, ***The Ancient Constitution and the Feudal Law: a Study of English Historical Thought in the Seventeenth Century*** (Cambridge: Cambridge University Press, 1957) p. 16.

In contrast to French or Scottish thought, which was largely conditioned by the system of Roman Law, English historical thought contemplated its national past solely through a system of common law.[9] This, it can be argued, yielded a unique trajectory in terms of the legal system itself and gave rise to debates about the course of English history.[10] Because records and histories did not reveal any other law to have been important, the English were able to believe that the only stream of law that had been of force in the realm was the common law. Civil and canon law would be seen, especially after the Reformation, as systems borrowed from abroad and confined within the limits of common law. The system of Roman law, which predominated elsewhere, was written and unchangeable and, as a result, open to grammatical interpretation which could prove its anachronism. In contrast, common law was based on custom and precedent and was by nature unwritten, being "the usages of the folk interpreted through the mouths of judges." Thus it could plausibly be argued that it could never be outdated or rendered obsolete.[11]

Consequently, English customary law was widely perceived to be self-sufficient and a spontaneous product which arose from the people who made laws on the basis of their wisdom and experience, rather "like a silkworm that formest all her web out of her self onely."[12] Where written laws can be little more than the wisdom of one man or generation, custom in its infinite complexity was understood to contain the wisdom of many generations who have tested the laws by experience, submitting them to multiple demands and challenges. A common law is, therefore, not the result of philosophical reflection but of wisdom accumulated and refined over time and through

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[9] *Ibid*, p. vii-viii.
[10] *Ibid*, p. 29.
[11] *Ibid*, p. 15.
[12] Sir John Davies, *Irish Reports* (London, 1674) quoted in Pocock, *Ancient Constitution*,p.34.

experience. Thus common law is immemorial and cannot be traced to any "original act of foundation," regarded as the creation of any single mind or attributed to any "legislator."[13] What speaks through the judge is the distilled wisdom and knowledge of many generations of men, and each decision is based on the experience of those that came before and tested by the experience of those who follow. As a result, it is wiser than any individual could ever be. Because the accumulated wisdom of the common law is so vast it was believed no single reflecting individual would be able to comprehend it.

It was in the seventeenth century that English historical thought acquired much of its special character and power over the English mind. Indeed, the common law received its classic formulation after 1600 from Sir Edward Coke. Coke, who was Chief Justice of Common Pleas and then of King's Bench under Elizabeth and then James I, saw common law as an indigenous growth within the realm which was the fundamental law of the land that fixed standards of justice, assigned powers to the King and courts and public and private rights, duties and obligations to all men. While the rights of the King differed from those of subjects, both were circumscribed by the common law. Thus with regard to King, parliament and law courts none were supreme.[14]

The influence of the common law was such that it encouraged belief in an ancient constitution which was constantly invoked by a nation which saw itself making its own laws free from foreign influence, in a process which had

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[13] Pocock, ***Ancient Constitution***, p. 37.

[14] The idea of parliamentary sovereignty was not popularly held by seventeenth-century jurists and in Coke's view English government comprised mainly courts of which parliament was the chief. It was on this ground that Coke opposed James I's attempts to withdraw cases from courts and try them himself. See George H. Sabine, ***A History of Political Theory*** (London: George G. Harrap & Co., 1937) pp. 383-386.

no point of origin.[15] The one potential rupture in this myth was the notion that the Norman conquest had constituted a breach in the continuity of the nation's history, such that William I had systematically imported new law into the land. Coke, as well as the educated elite, who believed the law of England to be of pre-conquest antiquity, denied this. In order to ensure the law's secure establishment in the present it was necessary to be able to trace it to the remote past, but not to any distinct origin.[16] A conquest could not be admitted because this would be tantamount to admitting an indelible stain on the constitution. Thus, it was argued, William was not a conqueror. He was, instead, a legitimate claimant of the crown vindicated in accordance with ancient law by virtue of his victory over Harold, a victory that did not entitle him to change the laws of England.[17] This view continued to be held in the time of Blackstone who was bent on treating Norman feudalism as a mere intrusion on English constitutional history.[18] Nevertheless, conquest theory enjoyed a lively history both during the turmoil of the 1640s and again after the Glorious Revolution of 1688 and the Jacobite uprising of 1715.

Crucially, Thomas Hobbes refuted the idea that law is immemorial custom and in this respect Coke was his principal target. Hobbes rejected any notion that the law constituted a form of "artificial reason" which was the accumulated and refined wisdom of many generations. He saw it, instead, as the product of an individual intellect that could only be comprehended by a professional. In his view law was the dictate of a simple and universal "natural reason," which combined those things good for our self-preservation. It was also made law by the sovereign's command, not because he was more "reasonable" but because he had been instituted by men

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[15] Pocock, ***Ancient Constitution,*** p. 41.
[16] ***Ibid,*** pp.42-47.
[17] ***Ibid,*** pp.51-53.
[18] ***Ibid,*** p.244.

in the state of nature to enforce a certain mode of living dedicated towards their self-preservation.[19] This led him to posit a theory of social contract whereby citizens, who sought to preserve their security above all else, authorised an absolute sovereign to protect them.

Consequently, Sir Matthew Hale, Chief Justice of the King's Bench, sought to rebut Hobbes' critique and revive the notion of the common law as custom.[20] He argued that the simple rules of law could not be laid down because the study of morals is not an exact science. The totality of human affairs is so complex that it cannot be comprehended by any single intellect. Thus the best that can be accomplished by juridical activity is the establishment, through empirical reasoning based on experience, of rules of conduct to which all can agree and which can be satisfied in the greatest number of cases that come before the courts. Given the law is founded on experience rather than abstract reason, it seemed obvious to Hale that the reason of many outweighs the reason of one. Where Hale differed from Coke was in his argument that instead of remaining unchanged since time immemorial, the law was perpetually changing in response to circumstances. Hence its origins are unintelligible because it is by nature in a constant state of fluid and imperceptible change.[21]

Essentially this is the conception of law found in the work of Coke, and Hale, which was criticised by Hobbes (and Locke) and later adopted by Edmund

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[19] Hobbes' critique of Coke's views on the common law are found in parts of ***Leviathan***, Ed. C. B. Macpherson (London: Penguin, 1968); a great deal of ***A Dialogue Between A Philosopher and A Student of The Common laws of England*** and in much of ***Behemoth: the History of the Civil Wars of England***, both of which are contained in ***The English Works of Thomas Hobbes*** in 11 Vols., edited by Sir William Molesworth (London: John Bohn, 1966) Vol. VI.

[20] He did this in an unpublished response to Hobbes' ***Dialogue of the Common laws*** and in his later ***History of the Common law***, which was posthumously published in 1715, well after his death in 1675.

[21] Pocock, ***Ancient Constitution***, pp.170-181.

Burke. On the way it received support through the philosophy of Bernard Mandeville and David Hume, both of whom emphasised the ideas of evolution and spontaneity. The fact that the concept of custom and the intellectual ascendancy of common law was revitalised in the eighteenth century through the work of Mandeville, Hume, Blackstone and most particularly Burke, indicates the powerful and enduring hold ideas of tradition and custom had on the English mind. As we have seen, it is in the work of F. A. Hayek that these ideas re-emerged with particular force in the twentieth century, thereby exercising a vital and neglected influence on late-twentieth century interpretations of liberalism.

These distinctive characteristics of British political and legal thought help fill the gaps in Foucault's analysis of liberalism's early "origins." We will now examine the discourses of law and techniques of self, which were key preoccupations for political theory from the seventeenth century onwards.

Discourses of Law

The juridical approach to government, as outlined by Foucault, is explicit in the work of a disparate group of European natural law theorists, that included figures such as Francisco Suarez, Hugo Grotius, John Selden, Richard Cumberland, Thomas Hobbes, Christian Thomasius, Samuel Pufendorf, and, to some extent, John Locke.[22]

[22] See Knud Haakonssen, ***Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment*** (Cambridge: Cambridge University Press, 1996); Paul E. Sigmund, ***Natural Law in Political Thought*** (Cambridge MA: Winthrop Publishers, 1971); and J. B. Schneewind, ***The Invention of Autonomy: A History of Modern Moral Philosophy*** (Cambridge: Cambridge University Press, 1998) Part I, pp.15-163 for useful coverage of modern European natural law theory.

Of central importance in the context of earlier discussions about the status of law in England, were the juridical thinkers, Thomas Hobbes (1588-1679) and John Locke (1632-1704). Their significance lay in the fact that they sought to impose the rationalist construct of social contract theory upon the tradition of common law, which had long emphasised the notions of evolution, custom and history. In contrast to this view, Hobbes saw the laws of nature as instrumental hypothetical rules of reason, which offered the best means for self-preservation, prescribing limitations on man's natural liberty, which unchecked would, he thought, lead to a war of all against all.[23] The contract theory of John Locke (1632-1704) differed from that of Hobbes in seeing the state of nature as one of "peace, good will, mutual assistance and preservation."[24] For Locke, the state of nature was one of equality, based on nature which comprised "...creatures of the same species and rank, promiscuously born to all the same advantages of nature and the use of the same faculties... without subordination or subjection."[25] From the fundamental assumption of natural equality Locke went on to derive the necessity of consent to government, which constituted individual rational consent to abide by the rules of the community. Thus, while the individual possessed natural freedom in the state of nature, some of this was voluntarily surrendered upon entering civil society and submitting to government. The purpose of government was, however, to secure that freedom by guaranteeing natural rights. According to Locke "every man is born with ...a right of freedom to his person, which no other man has a power over, but the free disposal of it lies in himself...a man is naturally free from subjection

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[23] See Haakonsen, ***Natural Law and Moral Philosophy***, pp. 31-35; Schneewind, ***Invention of Autonomy***, pp. 82-100; and Sigmund, ***Natural Law in Political Thought***, pp. 77-80 on Hobbes and natural law theory.

[24] John Locke, "The Second Treatise of Government: An Essay Concerning the True Original, Extent, and End of Civil Government," in ***Two Treatises of Government***, Ed. Mark Goldie (London: J. M. Dent, 1993) Sec. 19, p.124.

[25] ***Ibid***. Sec. 4, p. 116.

to any government, though he be born in a place under its jurisdiction."[26] In Locke's version, therefore, the social contract could not permit submission to absolute government, a possibility that was explicit in Hobbes. Thus with Hobbes and Locke (at least in terms of the juridical aspect of his work) there was a serious attempt to introduce into British thought what Hayek calls a version of "constructivist rationalism" through the device of social contract theory.

Interestingly, Thomas Hobbes was not only a key juridical thinker who sought to overthrow the tradition of English common law, but he also stood as the emblematic figure in the development of technical approaches to governing the self and the unfolding story of the subject of interests and passions. His influence in this regard stems from the picture he presented of man in a state of nature and the consequences that flowed from this for both sets of political problems: legitimating authority and governing the self.

Techniques for Governing the Self

Indeed, the trajectory of political thought linked to the technical problem of governing the self was provoked largely by a widespread desire to rehabilitate human nature which followed in the wake of Hobbes' negative onslaught on man. It represents a complex body of thought, with many overlapping strands, that includes thinkers such as Richard Cumberland and most particularly Anthony Ashley Cooper (the Third Earl of Shaftesbury), who emphasised the natural benevolence of man; and the Cambridge Platonists who rejected the material rationalism of Hobbes but emphasised the role of reason; as well as those associated with the school of moral sentiments, such as Shaftesbury, Butler, Hutcheson and Hume. Also of importance were the moral Newtonians, a group that included David Hartley

[26] ***Ibid.*** Sec. 190-191, p.212.

and Gershom Carmichael, as well as Hutcheson, Hume and Smith, who sought to apply the gravity principle to moral philosophy; and those thinkers who propounded the principle of specialisation through the mundane idea of the division of labour. As we shall see in Chapter Six, it was, however, through the economic and social analysis of Adam Smith that the technical problem of how power was to be exercised was brought to the foreground.

This diverse stream of thought facilitated the development of a new "liberal" art of government that was located around a relatively "new" figure of political and social subjectivity: the subject of particular and private passions and interests. This figure - the prototypical neo-liberal subject, whose actions and choices are motivated by interests, which are understood as the irreducible, non-transferable and unconditionally private expressions of felt preferences - has a complex history. As such it represents a profound transformation in Western theories of subjectivity, with critical consequences for how the individual's relation to the political order was thought. This relationship has been justified in a number of different ways.

Controlling the human passions

In his now seminal text, ***The Passions and the Interests***, Albert Hirschman identified three principal strategies for rendering the potentially disruptive passions governable, which were proposed as alternatives to religious command during the sixteenth and seventeenth centuries. First, the coercive repressive solution by which the State had responsibility to hold back, by force if necessary, the most dangerous manifestations of the passions. While Hobbes partially adopted this approach, his system was importantly different in that he invented the transactional concept of the covenant as a compact between governor and governed. As Foucault has demonstrated, the

coercive-repressive approach was outflanked during the seventeenth century when it came to be seen increasingly as inconsistent, arbitrary and uneven in its administration.[27]

The second strategy, which drew substantially on Lockean psychology as it was conceived in the ***Essay Concerning Human Understanding,*** revolved around the idea of harnessing rather than repressing the passions in order to make them work towards the general welfare. This option survived, in limited form, as the idea that the passions could be harnessed through the acquisitive drive, to become a major tenet of nineteenth century liberalism. It was, however, the third approach, which took the form of a countervailing strategy, linked to the idea of balance of power and the use of force to control force, that was widely considered the most useful for controlling the passions, and through which the ***passion of interest*** emerged as a privileged means of governing conduct. Through a balancing strategy, it was believed that one set of innocuous passions could be used to countervail or tame other more dangerous ones. Those passions assigned a countervailing function were categorised as interest.[28] The perceived advantage of this strategy lay in its flexibility and self-regulating nature, as it required little or no external force or direction to govern the ongoing play of men's passions, which were seen as a constant source of potential destruction and disruption. The countervailing strategy, which embodied a more constant, ongoing, seamless and flexible mode of control, whereby the calming interests were opposed to the disruptive passions, was increasingly seen as a viable option.

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[27] See especially Foucault, ***Discipline and Punish: The Birth of the Prison,*** trans. A. Sheridan (Harmondsworth: Penguin, 1977) and ***The History of Sexuality,*** trans. R. Hurley (London: Penguin, 1978).

[28] Albert O Hirschman, ***The Passions and the Interests: Political Arguments for Capitalism before its Triumph*** (Princeton: Princeton University Press, 1977) pp. 15-30.

While the calm passion of interest has tended to be associated with an economic self-interest, there is no necessary link. Indeed, it was not originally associated with commerce, moneymaking or general economic advantage, pertaining, instead, to a much broader understanding of general concerns, aspirations and advantages. Gradually, however, it narrowed to encompass economic and material aspects of personal welfare, eventually developing into an acceptable and highly commended drive, that carried positive and curative connotations associated with a more enlightened way of conducting human affairs, linked to commercial activity and money-making. Commerce was seen as having softening effects that served to polish and civilise society. This was partly due to the strain of sentimental, largely British, thought developed through figures such as Cumberland, Shaftesbury, Butler, Hutcheson, Hume and Smith, who sought to counteract Hobbes' pessimistic view of humanity and rehabilitate the "natural" human "affections" of benevolence and generosity. But, it was also because interest was seen as offering a means by which the predictability and reliability of human behavior could be assured. Post-Hobbesian thought was obsessed with the search for predictability and stability, without resorting to repression, and interest gradually emerged as the key to this goal. Many thinkers (philosophers, theologians and scientists) began to see the calm passion of interest providing a realistic basis for a viable social order that offered escape from excessively demanding models of state, and furnished the valued assets of predictability and reliability. As we shall see, however, not everyone greeted the new commercialism with open arms. Some were ambivalent in their assessment, while others, who believed it would inevitably lead to social and moral corruption, were downright hostile.

The British subject of interests and passions

In England, the emergence of the subject of interests and passions was largely related to the various attempts made, during the seventeenth and early eighteenth centuries, to rebut the starkly negative and unappealing portrait of human nature painted by Thomas Hobbes. Through his materialist account of human nature, Hobbes represents a dramatic shift from medieval philosophy, ushering in early modern concerns with the problem of government of self and others.[29] Rejecting earlier religious and supernatural approaches, he turned towards a natural conception of self-interest, which he identified as the most powerful human drive that was determined by reason rather than passion, and directed predominantly towards self-preservation. Knowing no bounds, self-interest pushes man into great excess as he strives for satisfaction, making a life in society impossible. The only way man can overcome a life of aggression and destruction, in Hobbes' view, was to submit his powers to an absolute authority, for without authoritarian government there can be no society and no peace.[30] The important point for Hobbes is that human nature possesses forces which would produce a war of all against all if it were not for the political structure of civil society, which involves the framing of rules to which all agree to submit. This constitutes the rational pursuit of self-interest, in Hobbes' view, for human desires can only be gratified if the primary need for self-preservation is first ensured, and

[29] The names of those such as La Rochefoucauld and Mandeville have often been coupled with that of Hobbes as they are generally thought to have held similarly negative views about human nature. It is possible to demonstrate, however, that Mandeville develops a much more positive view of human psychology and motivation than does Hobbes. Indeed, he sees the desire for self-esteem, or approval, as of at least parallel importance to the drive for self-preservation. (See Chapter 4) This is an important idea picked up and further developed by Adam Smith in his notion of the prudent man. (See Chapter 6).

[30] Thomas Hobbes, ***Leviathan***, Part 1 Chs 6,11,13,14,15 and ***On the Citizen***, Edited and translated by Richard Tuck and Michael Silverthorne (Cambridge: Cambridge University Press, 1998) pp. 21-31.

this can only occur if the rules of the sovereign are unanimously obeyed. Hobbes' onslaught on the character of man, his bleak view of human nature, and his negative portrayal of a self-interest utterly uncontrollable outside authoritarian government, had a very disturbing effect and provoked a great surge of thought dedicated to its rebuttal and the subsequent rehabilitation of human nature.[31]

The countervailing passion of interest offered a basis for this project. It came to be seen as a useful mechanism for controlling conduct, linked to the perceived calming and civilising effects of commerce; and, through its predictability and reliability, as providing a basis for human freedom. This should be understood in the Lockean sense of freedom of men under government; that is freeing men from the inconstant, uncertain, unknown and arbitrary will of another human being. One of the keys to the success of interest as a governmental technology lay in its perceived versatility and polymorphous nature, as it was considered to be endowed with properties that were simultaneously powerful and calming; enabling and restraining; liberating and regulatory. As a countervailing force it was seen to be powerful in preserving the "innocuous" passion of avarice, an important motivator to industry and improvement. Yet at the same time it functioned as a calm passion, with softening and civilizing effects, that served to repress certain "dangerous" human drives and proclivities and to fashion a less multifaceted, less unpredictable and more "one-dimensional" personality.

The story of the emergence of the subject of interests was one in which seventeenth and eighteenth-century British moralists played a significant role.

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[31] Samuel Mintz, ***The Hunting of Leviathan: seventeenth century reactions to the materialism and moral philosophy of Thomas Hobbes*** (Cambridge: Cambridge University Press, 1962) offers a comprehensive study of seventeenth century reactions to Hobbes. See also John Bowle, ***Hobbes and his Critics: A Study in seventeenth century Constitutionalism*** (London: J. Cape, 1951).

In their attempts to erase Hobbes' legacy and create and ratify a human nature worthy of honour and respect, they can be seen as anticipating, frequently unintentionally, modern economics and furthering technical approaches towards government. The originality of the various schools of British moral thought, which applied themselves to the array of problems associated with governing conduct in a post-Hobbesian world, lay in their stress on the "plain man," his common sense, and the means by which individuals could contribute to their own governance. It also gave rise to the notion that abstract moral systems were ineffective in governing conduct and that what was required was an approach that yielded tangible, practical effects. This shift in focus is of vital importance to the development of the technical approach to government because it concentrates on the content of the plain man's moral judgements and the implications this has for governing conduct which represents a turn away from juridical appeals to an absolute authority, either of God or the Sovereign; state centred models of *raison d'etat;* and those linked to the morality of the Prince.

At the heart of eighteenth century British moral thought were concerns with how the self was fashioned, the conduct of men in society and the social relations between men. In reply to Hobbes' claim that force is the only adequate guarantee of good conduct, critics stressed other options: right reason, the moral sense, love of God, conscience, natural benevolence, harmony of interests, moral gravitation, specialisation and expectations of rewards and punishments, in either this or the after life, with many moralists appealing to more than one factor.[32] Jacob Viner makes the instructive

[32] In this section I have relied principally on the following works: L. A. Selby-Bigge (ed) ***British Moralists,*** 2 Vols. (Oxford: Clarendon Press, 1897); D. D. Raphael, ***British Moralists 1650-1800*** 2 Vols. (Oxford: Clarendon Press, 1969); T. A. Roberts, ***The Concept of Benevolence: Aspects of Eighteenth-Century Moral Philosophy*** (London: Macmillan, 1973); D. H. Monro (Ed) ***A Guide to the British Moralists*** (London: Collins, 1972); Leslie Stephen, ***History of English Thought in the Eighteenth Century,*** 2 Vols. 3rd Ed. (New York: Peter Smith, 1949); Basil Willey, ***The Eighteenth Century Background*** (Harmondsworth:

observation that post-Hobbesian moral thought tended to give little or no attention to the function of the state as a regulator of behavior, which he attributes to the fact that these thinkers were over compensating for the monolithic role Hobbes had assigned the state in the regulation of conduct.[33]

The Assault on Leviathan

The first major attack on the structure of ***Leviathan*** was mounted by the natural lawyer Richard Cumberland (1631-1718), in his ***De Legibus Naturae*** (1672),[34] a very influential text which provoked, both directly and indirectly, a number of major trends in eighteenth-century ethical thought. In it he attempted to rebut Hobbes through an alternative theory of human motivation and by arguing that, in ordering the world, God had ensured sufficient "contingent" sanctions, in the form of temporal rewards and punishments, to make society peaceful even in the absence of civil authority. He shared with Aquinas and Richard Hooker the view that in God's harmonious creation there was a natural concord in both the material and moral worlds. The material universe is a beautiful and complex unity which is well ordered by "God the Governor of the World," all parts of which function to preserve themselves and the corporeal whole. Where

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Penguin, 1965); Basil Willey, ***The English Moralists*** (London: Chatto & Windus, 1965); Henry Sidgwick, ***Outlines of the History of Ethics*** (London: Macmillan, 1888); J. L. Mackie, ***Hume's Moral Theory*** (London: Routledge & Kegan Paul, 1980); Jacob Viner, ***The Role of Providence in the Social Order*** (Philadelphia: American Philosophical Society, 1972); D. D. Raphael, ***The Moral Sense,*** (London: Geoffrey Cumberlege, 1947). More recent works consulted are Stephen Darwall, ***The British Moralists and The Internal 'Ought' 1640-1740*** (Cambridge: Cambridge University Press, 1995); Stephen Holmes, ***Passions and Constraint: On the Theory of Liberal Democracy*** (Chicago: University of Chicago Press, 1995); J. B. Schneewind, ***The Invention of Autonomy: A History of Modern Moral Philosophy*** (Cambridge: Cambridge University Press, 1998); and Milton Myers, ***The Soul of Modern Economic Man: Ideas of Self-Interest Thomas Hobbes to Adam Smith*** (Chicago: University of Chicago Press, 1983). See also Harvey C. Mansfield "Self-interest Rightly Understood," ***Political Theory*** 23 (1, Feb. 1995) 48-66 for an interesting attempt to "deconstruct" the concept of self-interest and restore the "original intention" of the doctrine which he maintains has been subjected to a process of sedimentation.

[33] Viner, ***The Role of Providence in the Social Order,*** p. 64.

[34] Translated by John Maxwell as ***A Treatise of the Laws of Nature*** in 1727. An extract is contained in Raphael, ***British Moralists 1650-1800,*** Vol. I, pp. 79-102 .

Cumberland broke with his predecessors was in developing the notion of the "common good of all."[35] He understood the good in quantitative terms, seeing an aggregate of separate goods making up the greatest or common good, which is the supreme end to which all other rules are subordinated and the standard against which they are ranked and measured. Through experience, says Cumberland, we learn that, in fact, it is benevolence that makes the most significant contribution to the common good.

Cumberland is a pivotal figure in the history of the subject of interests. While he fervently rejected Hobbes' psychological egoism, he accepted that people are strongly self-interested. They are, however, not moved by blind desire, but by a desire for the good of others. In other words, self-interest was for him an essentially constructive rather than destructive drive. He thought "benevolence" and a disposition to do good predominantly motivated men's actions. Thus we are enabled, and, indeed, compelled to move from narrow self-interest to benevolence. In short, he stressed the harmony between rational self-love and benevolence and his work constituted an early attempt to prove what goes on to become an enduring theme in liberal thought: that the small and private acts of the individual performed for his own ends, are integral to the promotion and preservation of the public welfare. [36]

Also important to the controversies of the day were the British Rationalists, who rejected Hobbes materialism in favour of a deeper and more fixed inner being beyond the superficialities of bodily movements and sensations. This group included William Wollaston, John Balguy and Samuel Clarke,[37] as well

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[35] Cited in Sidgwick, ***Outlines of the History of Ethics***, p.173.

[36] See Viner, ***The Role of Providence in the Social Order***, pp 65-68; Schneewind, ***The Invention of Autonomy***, pp. 101-117; Myers, ***The Soul of Modern Economic Man***, pp 37-48; Sidgwick, ***Outlines of the History of Ethics***, 172-4 for coverage of Cumberland's thought.

[37] See Raphael, ***British Moralists***, Vol. I and Selby-Bigge, ***British Moralists*** Vol. II, for key extracts of the work of Clarke, Wollaston and Balguy.

as the small, but influential band of philosophers who were known collectively as the Cambridge Platonists. Described by Basil Willey as the "most interesting" of all Hobbes' contemporary critics,[38] this group, which included Ralph Cudworth, Henry More, John Smith, Benjamin Whichcote and Nathaniel Culverwell, embraced Platonic principles and were influenced by the new thought of Descartes. While there is a great deal of diversity among the British rationalists, they are linked by the view that reason is the key to governing conduct. They believed that moral distinctions reside in the nature of things; that is the distinction between good and evil has an objective reality, independent of any human feelings or sentiments. Where Cumberland held that we come to know the moral law through experience and the senses, the Platonists argued that we come to it through "right reason." They held that morality was concerned with one's inner condition and not simply with law-abiding external action and, against Hobbes' materialism, which saw the body and material desire as the first reality, they held that mind is prior to the body and senses and, indeed, the world itself. In other words, for the Platonists morality was neither relative to affections or determined by the edicts of an earthly Leviathan.[39] Instead rules of conduct were to be found by consulting Reason.[40] This represented a

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[38] Willey, ***The English Moralists***, p. 175.

[39] According to Cudworth (1617-1688), for instance, the "essential and eternal distinctions of good and evil" are neither determined by the arbitrary will of God, as was argued by medieval thinkers, such as Duns Scotus and William of Occam, or the arbitrary will of the sovereign, as Hobbes maintained. What was denied to God was certainly to be denied to the will of any human or political authority. Instead, these distinctions are created by God, in whom Will is subject to wisdom and goodness, and implanted in the very nature of things. See Cudworth, ***The True Intellectual System of the Universe wherein all the Reason and Philosophy of Atheism is Confuted and its Impossibility Demonstrated. With a Treatise Concerning Eternal and Immutable Morality***. In 3 Volumes. Translated by John Harrison (London: Thomas Tegg, 1845).

[40] For analyses of the Cambridge Platonists and their role in British moral thought see Sidgwick, ***Outlines of the History of Ethics***, pp. 169-172; Schneewind, ***The Invention of Autonomy***, pp. 194-214; Willey, ***The English Moralists***, pp. 172-189. See also Stephen Darwall, ***The British Moralists and the Internal Ought***, pp. 109-148 who suggests that Cudworth is the first moralist to advance a version of, what he calls, "autonomous internalism" or the internalism of practical reason. Through his "doctrine of eternal and immutable morality," which advances the thesis that moral obligation is self imposed in

strategic attempt on the part of the Platonists to bypass contemporary debates between rival religious creeds.

The Cambridge Platonists' doctrine that moral goodness is grounded in the creative and practical aspects intrinsic to the mind points in many ways towards the Deist and moral sense philosophies of the eighteenth century. While those in the rationalist school maintained the objective existence of moral distinctions in the nature of things, and that reason is the key to governing conduct, another group of thinkers – the sentimentalists – claimed this purpose was served by sentiments, dispositions and the moral sense. Like the rationalists they rejected Hobbes' pessimistic, materialist view of nature, and endorsed the notion that virtue was natural. But where the rationalists saw virtue residing in the nature of things, the sentimentalists viewed it as an expression of uncorrupted human nature. Although acknowledging reason has a limited role in moral disputation, the sentimentalists maintained it is not responsible for our awareness of moral distinctions and obligations.[41] Key thinkers in this respect include Lord Shaftesbury, Bishop Joseph Butler and Frances Hutcheson and it is to a consideration of their work that we will now turn.

The School of Moral Sentiments

Shaftesbury and the "Tuning of the Passions"

The shock waves that had reverberated throughout seventeenth-century English society, as a result of the Revolution and Restoration, the change of dynasty after the "Glorious Revolution" of 1688 and the Act of Union in 1707, occasioned a search for new or renewed social disciplines through which

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the practical reasoning of a self-determining agent, Cudworth can, suggests Darwall, be seen as a proto-Kantian. See p. 110 for this point.

[41] See Selby-Bigge, ***The British Moralists***, pp. xxix-xxxiii for coverage of the rationalist-sentimentalist controversy.

order would be encouraged without the need for overt repression. In this context, the ethics of Anthony Ashley Cooper, the third Earl of Shaftesbury (1671-1713) mark a clear departure from the seventeenth-century tradition of natural law and in particular from Hobbes. While Cumberland and Cudworth had significantly revised the model of natural law, it is almost entirely absent in Shaftesbury. What he took instead from Cumberland and further elaborated was the idea of benevolence. Indeed, he is widely identified as the pioneer of the moral sense doctrine, which was grounded in the belief that man's character has an innate moral sense, a psychological factor something like taste, that enables him to distinguish right from wrong.

> *...in the very nature of things there must of necessity be the foundation of a right and wrong taste, as well in respect of inward characters and features as of outward person, behavior, and action.*[42]

In Shaftesbury's view, the revolutionary political and social developments of the seventeenth century had definitively established the dominant position of "gentlemen" in English Society and politics, thereby ushering in the early eighteenth century "gentlemanly" culture of politeness and association. Along with Joseph Addison, Richard Steele and Daniel Defoe, Shaftesbury can be seen as setting the tone for a new polite society. While Addison and Steele aimed at the popular dissemination of morality through the print media in, for example, ***The Spectator*** and ***The Tatler***, Shaftesbury was more intent on directing his philosophy to the intellectual and social elite, using notions of sociability and politeness to attack the Tory loyalty to Church and Court in the name of a new "Whiggish culture."[43]

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[42] Shaftesbury, ***Characteristics of Men, Manners, Opinions, Times, etc.*** 2 Volumes. Edited and introduced by John M. Robertson (Gloucester, Mass: Peter Smith, 1963) Vol. 1, p.216-7.

[43] See Lawrence Klein, ***Shaftesbury and the culture of politeness: Moral discourse and cultural politics in early eighteenth-century England*** (Cambridge: Cambridge University Press, 1994) p 1-2; also Nicholas Phillipson, "Politics and Politeness: Anne and the Early Hanoverians," in J. Pocock (ed) with assistance of G. Schochet & L. Schwoerer, ***The Varieties of British Political Thought, 1500-1800*** (Cambridge: Cambridge University Press, 1993) pp.211-245. This theme is taken up in a European context by Norbert Elias in

Shaftesbury's ***Inquiry Concerning Virtue or Merit*** (1699) is seen as offering a new direction for systematic thought about the possibility of governing conduct. According to Hobbes only an external power had the strength to bring the desires and impulses, those forces that move us, under control. There was certainly no inner mechanism capable of performing such a task. While Locke rejected political absolutism, he too was forced to invoke external pressure, in the form of God's laws, backed by threats of punishment and reward, as a means of producing more order than could be achieved simply by civil laws and a concern for public opinion. It seemed, therefore, that personal order and social stability were attainable only through some sort of external pressure. Shaftesbury is the first major modern thinker to attempt to show how we can control our own conduct. Completely rejecting Hobbes thesis, he also disliked Locke's insistence on the need for sanction-backed laws as a means of control, despite his outlook being informed by a Lockean view of the passions.[44] He aimed, therefore, to facilitate a shift in moral thought from these groundings to that of human nature, which possessed, he thought, more than simply selfish drives, as Hobbes had argued.

Shaftesbury admits that the passions drive us in all number of directions and that if we are to live reasonable and satisfying lives they need to be disciplined. What then, he asks, can provide the necessary control without resorting to external repression? While he seems to see both philosophy and a culture of politeness as contributing to this project, he identifies the moral sense as the principal factor in controlling the unruly passions. It is moral feeling that unifies the complex and shifting affections. Writing against the

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The History of Manners, The Civilising Process Vol. I, translated by Edmund Jephcott (Oxford: Basil Blackwell, 1973) and by Jürgen Habermas in ***The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society,*** trans. Thomas Burger, assisted by Frederick Lawrence (Cambridge: Polity Press, 1992).

[44] See Schneewind, ***The Invention of Autonomy,*** pp295-308.

claims of Hobbes (and others such as La Rochefoucauld and Mandeville) that man was not by nature a social animal, Shaftesbury found man to be naturally sociable and subject to the "herding principle."[45] This enabled him to rescue the passions from the idea that they are merely self-serving to argue the natural harmony between individual and society. While he recognised interest (in terms of both self and society) he did not accept human behavior was governed primarily by self-interest.

> *You have heard it, my friend, as a common saying, that interest governs the world. But, I believe, whoever looks narrowly into the affairs of it will find that passion, humour, caprice, zeal, faction, and a thousand other springs, which are counter to self-interest, have as considerable a part in the movements of this machine. There are more wheels and counterpoises in this engine than are easily imagined.*[46]

It was Shaftesbury's belief that while all creatures act through passions or affections, man's nature impels him towards virtue in the sense of valuing public above private interest and paying paramount respect to the good of the whole system of which each individual and species is merely a part. Shaftesbury divided the human passions and affections into three categories: the natural affections, such as love and sympathy which tend towards the public good; the self–affections, such as appetite and love of praise, which tend to private good; and the unnatural affections, such as sadism, envy and misanthropy, which tend towards neither.[47]

Shaftesbury makes a distinction between public and private (self) interest and employs a further distinction in the notion of self-interest which he uses in two ways: narrowly to refer to private good and more widely to refer to the happiness of the individual. This allows him to argue that if the chief source of happiness derives from natural affections, which tend to the public good,

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[45] Shaftesbury, ***Characteristics***, I, p. 75.
[46] ***Ibid.*** I, p. 77.
[47] ***Ibid,*** I p. 286.

then it must be in man's interest to resist tendencies towards self-love (selfishness) and cultivate an overriding concern for the public good. In fact, it is by focusing on the public interest that self-interest is best served. It is fortunate, muses Shaftesbury, that nature has made it to be according to private interest and the good of all for individuals to work towards the general good.[48]

> *The natural temper is good when the affections or passions are directed to the public good or the good of the species.*[49]

Thus the primary means for ordering or governing conduct resides, according to Shaftesbury, in man's natural propensity towards benevolence. Harmony within the self is achieved through a "tuning of the passions"[50] so that the natural (public) and self (private) affections are balanced. By isolating an inherent moral faculty or sense, and emphasising the existence of the generous passions and an unselfish desire for the good of others, Shaftesbury believed he had offered a defence against what he perceived to be the two major threats to social stability and decency: (religious and political) enthusiasm and scepticism. The destructive or malign passions have a role to play, however, in defining virtue and indeed, making virtue virtuous. For, if there were no such passions to control or conquer then virtue would be cheapened.[51]

Shaftesbury conceived the moral sense not as a passive faculty merely receiving ideas and feelings, but as that which involves the creative and formative powers intrinsic to an active mind. In this respect the Cambridge Platonists influenced him. We are active within ourselves, says Shaftesbury, insofar as mind "...superintends and manages its own imaginations,

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[48] *Ibid*, I p. 337.
[49] *Ibid* I p. 250.
[50] *Ibid*, I p. 291.
[51] *Ibid*, I p. 256.

appearances, fancies...modelling these as it finds good."[52] In other words, the possibility of ethics depends on the inherent creativity of mind and requires active work on oneself. As Stephen Darwall puts it, obligations to virtue are derived, for Shaftesbury, from the "authoring" of one's own conduct.[53] Virtuous agents shape themselves, internally and externally, so that their inner life is harmonious. This has the added advantage of winning approval from others, for the mind is also a "spectator" or "auditor" of other minds, judging not only its own conduct but also that of others.[54] Indeed, reflection on one's own conduct is important in the shaping and control process, and reason has a role to play in this regard, at least "sufficient to secure a right application of the affections."[55] By responding to moral feelings human beings engage in an aesthetic cultivation of self, effectively becoming "artists of the soul." Thus, the wise man is one who "...becomes the architect of his own life and fortune, by laying within himself the lasting and sure foundations of order, peace and concord."[56]

Despite the emphasis Shaftesbury gives to modes of internal control, he does not neglect the influence of external factors. As already pointed out, he was keen to facilitate the development of a culture of politeness and was trying to envision discourse and culture in new ways which were premised on specific social and institutional developments. He recognised the importance of social habits because the moral sense can be lost or, at least, damaged under certain conditions: through weakness or deficiency of the natural affections; the violence of selfish affections; a cultivation of unnatural affections that may lead to extreme licentious behavior; and through certain customs and habits.

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[52] ***Ibid***, II p. 103.
[53] See Darwall, ***The British Moralists and the Internal Ought***, pp. 176-206 for coverage of this aspect of Shaftesbury's thought.
[54] Shaftesbury, ***Characteristics***, I, p.251.
[55] ***Ibid***, I p.255.
[56] ***Ibid*** , II p.144.

If, for example, one is directed through habit towards an unhealthy focus on self-good and private interest, this will, thought Shaftesbury, eventually cause the affections for public good to be diminished and the human spirit to be narrowed.[57] Shaftesbury uses this argument to underline the importance of developing the appropriate political culture which will cultivate a "natural" social disposition.

Herein lies a fundamental ambiguity in Shaftesbury's thought. For, on the one hand, he posits a natural harmony between private and public interest, which can be achieved through internal control mechanisms. This led him to posit the existence of a natural society among human beings and thus negate the need for Hobbes' elaborate construction of an artificial political society on the basis of self-interest and natural unrestrained competition. Yet, it is also evident that this "natural" harmony requires individuals to inhabit an appropriate external environment, which has structures that enable the correct disposition and conduct to be cultivated. In other words, there is a tension between his view that man is a naturally virtuous being who resides in a beneficently controlled universe, and his view that there was much work to be done on both the self and society.

Despite his reputation for unbridled optimism, Shaftesbury's personal notebooks attest to darker private moments when he could claim "All is Corruption and Rottenness." Indeed, says Lawrence Klein, he exhibits far more ambivalence about sociability than is generally supposed and frequently portrays himself in these texts, as inhabited by dual personalities: the one a gregarious extrovert and the other a reclusive introvert.[58] He is perturbed by the apparent conflict or agonism between his social and private

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[57] *Ibid*, I, pp. 262-269 and p. 336.
[58] Klein, ***Shaftesbury and the Culture of Politeness***, pp. 70-101.

selves and expresses concern about the potential for the former to encroach upon, and so destabilise, the latter. Thus, while the sociable self was crucial for Shaftesbury in keeping egoism in check it had the potential to threaten and distract the private self. In other words, despite the positive effects of sociability in terms of ordering conduct and restraining selfishness, it is not an unqualified good – there is a price to be paid in terms of one's privacy and introspection.

Indeed, Shaftesbury's ambivalence offers us an early example of the problem for liberal thinkers who mistrusted their own prescriptions for the self-regulation of conduct. For on the one hand he admires and commends the principle of self-regulation, which can be said to flow largely from his aristocratic background and his admiration for the Stoic teachings. Yet, on the other, he is pessimistic about the possibility that such a principle could be widely adhered to. This is largely because the integrity of the private self could not, in his view, necessarily be guaranteed as the social self may have contaminated it. Hence, Shaftesbury's concern with constructing an appropriate political culture that encouraged polite conduct. Given his tendency towards elitism, it would seem that only the very few exceptional individuals would be capable of the ethical practice he extolled.

Joseph Butler and the Luke Warm Power of "Cool Self-Love"

Bishop Joseph Butler (1692-1752) advanced Shaftesbury's optimistic views on the inherent equilibrium between self-interest and public welfare that reflects the natural harmony of the universe.[59] Against theories of natural law, Butler considered that people would be led towards a moral existence by consulting their own nature rather than studying a complicated quasi-legal

[59] See chapters on Butler by Schneewind, *The Invention of Autonomy*, pp. 342-353 and Darwall, *British Moralists and the Internal Ought*, pp. 244-283.

system.[60] Yet, he thought Hobbes' account of human nature was defective. The facts of human nature plainly refute Hobbes reduction of all desires to the single motive for personal power and gain,[61] and the consequent denial of benevolence.

> *Our nature shows we are made for both a personal and a common end...Man has natural respect for both self and society...*[62]

While he agreed with Shaftesbury's proposition that human motives fall into two categories, Butler believed Shaftesbury had given too much freedom to the passions. Indeed, he was much more concerned about the disruptive power of particular passions, which, he thought, had the potential to wreck one's own life and seriously damage others.[63] Consequently, Butler introduced a third category, that of conscience, which he conceived as the supreme inner authority, with the capacity to reflect upon and judge actions, and so to supervise and control private and public interest.[64] Just as a civil constitution implies a unity derived from subordinating diversity under the direction of one supreme authority, so human nature is a group of attributes which are subordinate to one supreme principle, that of conscience.

> *[human] nature consists in these several principles [reason, appetites, passions and affections] considered as having a natural respect to each other, in the several passions being naturally subordinate to the one superior principle of reflection or conscience.*[65]

Butler's idea of "cool self-love," which is crucially related to conscience, was important in modifying self-interest so that it was seen as a civilising drive,

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[60] Schneewind, ***Invention of Autonomy***, p. 343.
[61] Although Butler's interpretation seems to be characteristic of a common misreading of Hobbes, who, in fact isolated the drive towards self preservation as the fundamental human motive upon which the satisfaction of all other desires were premised.
[62] Joseph Butler, "Upon Human Nature: Sermon I" ***The Works of Joseph Butler***, Vol. II, (ed) W. E. Gladstone (Oxford: Clarendon Press, 1890) pp. 34-35.
[63] Butler, Sermon I, p. 50.
[64] ***Ibid***, p.41-42.
[65] Butler, Sermon III, p. 67.

which is cool and reasonable. This was a significant revision of earlier readings of Protestant conscience and its operation. Indeed, Butler put less stress on benevolence than on cool self-love or conscience. Through the notion of "cool self-love" Butler civilised the drive of self-interest, which he saw as a countervailing virtue that encouraged prudence,[66] placing it under the tutelage of conscience, the "superior principle of reflection,"[67] thereby making conscience the ultimate guarantor of man's behavior and manager of the passions. The voice of conscience obliges us to obey the law of our nature, and as such is both an authority and guide for behavior "assigned to us by the Author of our nature."[68] Man's nature does not consist simply in the pursuit of desire, but also involves reflection upon conduct, thereby allowing reason, in the form of conscience, to control the passions. For Butler the healthy state of man as an active, purposive, choosing being is when conscience is supreme. In his view genuinely enlightened self-interest will not conflict with conscience. Thus, conscience and "cool" self-love - "the chief or superior principles in the nature of man"[69] - point us in the same direction, ensuring a perfect coincidence of duty and interest.[70] "So that, if we will act conformably to the economy of man's nature, reasonable self-love must govern."[71]

Nevertheless, Butler recognised that men have tendencies that may lead to conflict, but saw this as reflecting a system that can get out of order. He identified the source of the trouble as the "ungoverned passions."

> *And as in civil government the constitution is broken in upon, and violated by power and strength prevailing over authority; so the constitution of man is broken in upon and violated by the lower*

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[66] ***Ibid***, p.72.
[67] Butler, Sermon II, p. 59.
[68] Butler, Sermon III, pp. 70-71.
[69] ***Ibid***, p. 76.
[70] Butler, Sermon II, p. 61.
[71] ***Ibid***, p. 62.

> *faculties or principles within prevailing over that which is in its nature supreme over them all.*[72]

Particular passions, though harmless in themselves and indeed beneficial and necessary elements in human nature, says Butler, may become too strong and express themselves in ways that cannot be appropriately controlled by the elements of self-love and conscience. Indeed, the inadequacy of conscience as a mechanism for governing human conduct had been recognised since the seventeenth century.[73] Because Butler acknowledged that most of life cannot be guided by precise rules he could offer no real remedy when the inner governing mechanism broke down. We can assume, however, from his remarks on civil association, that he accepted the need for some sort of civil authority to manage such intractable cases, which could in his view be attributed to personal faults and flaws.[74]

Again we see how, when pressed, Butler ultimately cannot defend the strength of conscience, his own prescription for governing conduct, as an effective ordering mechanism which can be readily deployed in the wider community.

Francis Hutcheson and the Common Sense of the Common Man

Frances Hutcheson (1694-1746) also rejected the rationalist and natural law solutions to governing conduct, and followed the moral sense trajectory laid down by Shaftesbury, and pursued by Butler. However, he went on to revise it, drawing on the "new empiricist philosophy" of Locke and Berkeley,

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[72] Butler, Sermon III, p. 68.

[73] On this see James Tully, "Governing Conduct," in Edmund Leites (Ed), ***Conscience and Casuistry in Early Modern Europe*** (Cambridge: Cambridge University Press, 1988) pp. 12-71; and David Martin Jones, ***Conscience and Allegiance in Seventeenth Century England: The Political Significance of Oaths and Engagements*** (Rochester, NY & Woodbridge, Suffolk: Boydell & Brewer, 1999).

[74] See for instance, Butler, Sermon III, pp. 67-68, for references to the civil constitution; and The Preface, p. 17 where he refers to civil punishment.

and the principles of Newtonian physics. Like Shaftesbury and Butler he accepted that self-interest was a legitimate component of a virtuous life and that human beings naturally possessed benevolent as well as selfish motives. Indeed, the main concern of ***An Inquiry into the Original of our Ideas of Beauty and Virtue*** (1725) was to refute the "psychological egoism" of both Hobbes and Mandeville, and show that human beings admire and perform actions for reasons other than a regard for self-interest. Nature, he argued, has equipped us with a wide array of passions, desires and affections, which must be understood as a set of causal forces, each of which has a different purpose. Some make us generous and some drive us towards industry, while others direct us to protect ourselves and others from aggressors. One of these forces is benevolence, which drives us towards the good. Only a correctly functioning moral sense has, in Hutcheson's view, the capacity to guide and control these forces which urge in different directions. Reason, which he considers purely theoretical and intrinsically inert, certainly is far too weak to perform such a function.[75]

As part of his attempt to refute psychological egoism, and demonstrate the capacity humans have for unselfish actions, Hutcheson appealed to common sense and common experience which he thought could offer clear examples of non-egoistic motivation. There has in the history of moral thought, he says, been a tendency to neglect the ordinary affairs of human beings and thus the delights of humanity, good nature, kindness and friendship, in

[75] Principally I referred to the following commentaries on Hutcheson's thought: William Blackstone, ***Francis Hutcheson and Contemporary Ethical Theory*** (Athens: University of Georgia Press, 1965); Stephen Darwall, ***British Moralists and the Internal Ought***, pp. 207-243; Schneewind, ***Invention of Autonomy***, pp. 330-345; D. Raphael, ***The Moral Sense***, pp. 15-46; Thomas Mautner (ed) ***Francis Hutcheson: Two Texts on Human Nature*** (Cambridge: Cambridge University Press, 1993).

favour of grand theoretical schemes which seldom acknowledge, for instance, the benefits of "laborious diligence in some honest employment." If moral thinkers had paid attention to the life of common man they may have found, as Hutcheson professed to do, "...more virtuous actions in the life of one diligent good-natured trader, than in a whole sect of such speculative pretenders to wisdom."[76]

In this context, Hutcheson was highly critical of Shaftesbury's aristocratic approach, which led him to conceive the moral sense in aesthetic, rather than purely moral terms, and consequently to characterise moral motives in terms of a self-absorbed desire for a beautiful life. Morality, argued Hutcheson, required the most natural of plain feelings and not the sensibilities that call for a leisurely cultivation of self. All that should matter is the degree of seriousness with which one's love of others is expressed. Because morality was primarily an expression of our love and concern for one another, it was applicable to all human beings and not solely the province of an elite few. This led Hutcheson to the most "joyful" conclusion that "no external circumstances of fortune, no involuntary disadvantages, can exclude any Mortal from the *most heroic virtue*..." Thus it was not only "the Prince," "the Statesman," and "the General" who were capable of "true heroism." This role was also available to the common man. Indeed, Hutcheson ventures to say that it is, in fact, the "honest trader, the kind friend, the faithful prudent adviser, the charitable and hospitable neighbour, the tender husband, and affectionate parent.... the promoter of love and good understanding among

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[76] Hutcheson, "Inaugural Lecture on the Social Nature of Man," in Mautner (ed) ***Two Texts on Human Nature***, pp. 124-147.

acquaintances..." in short, the ordinary folk of society, who are *"the only Heroes in Virtue."*[77]

It is evident, therefore, that Hutcheson believed moral philosophy should not be abstract and theoretical but have practical applicability with tangible effects that are of positive benefit in the conduct of people's lives. In this sense he had a profound influence on his pupil, Adam Smith. An effective moral system was, he thought, one in which improving and beneficial effects were clearly discernible in the conduct of ordinary people, bringing peace of mind, good behavior and a general sense of harmony, and he questioned the effectiveness of grand theoretical moral schemes in actually achieving these objectives. Because he saw morality as the expression of our love and concern for one another, Hutcheson believed one had to engage with the heart of the individual and not merely their intellect. Morality is, however, also intimately connected with law, because rights, duties and justice are channels for the expression of that love. While acknowledging their importance, his theory of jurisprudence was not based on rights, as was characteristic of modern natural law approaches, for Hutcheson considered a moral theory that confined itself to rights to be incomplete. If one equated the requirements of morality simply with the observance of rights, this could only be considered a moral minimum. Morality demanded much more than this in Hutcheson's view.[78]

While Hutcheson found Hobbes' pessimism profoundly distasteful, in that it treated all individuals with suspicion and discerned only selfishness at the base of human motives, he did recognise that the moral sense was not a

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[77] Hutcheson, ***An Inquiry into the Original of our Ideas of Beauty and Virtue,*** 4th Ed. (Westmead, Eng.: Gregg International Publishers, 1969) pp. 198-9.
[78] Mautner, ***Two Texts on Human Nature,*** p. 53.

guarantee of good conduct. And, unlike Butler, he did give express consideration to the need for sterner measures to be employed in instances where the moral sense was "exceedingly weakened, and the selfish passions grown strong." This could occur, he thought, either through the corruption of nature, weakness of understanding or "inveterate habits." In these instances, it is necessary, if people are to gain "a steady sense of an obligation to act for the public good..." to have a "law with sanctions, given by a superior Being, of sufficient Power to make us happy or miserable." This is necessary "to counterbalance those apparent motives of interest, to calm our passions and give room for the recovery of our moral sense, or at least a just view of our interest."[79] Thus temporal rewards and punishments have a role to play in managing conduct. Indeed, they are "...the only, or best means of recovering a temper wholly vitiated, and of altering a corrupted taste of life; of restraining the selfish passions when too strong, and of turning them to the side of virtue; and of rousing us to attention and consideration..."[80] Nevertheless, Hutcheson generally believed such compulsion to duty would be reserved only for the few "incorrigible villains," as the great mass of people can generally be moved by "sentiments of honour and humanity."[81] Man had a natural moral sense that enabled him to lead a morally good life and to establish the necessary moral and political institutions without the guidance of law. Contrary to Hobbes view, therefore, Hutcheson argued that social life was possible without the conditions of civil society because human beings have a natural and immediate desire for company and society with their fellow creatures, which, if absent, leads to discontent and disease.[82] He obviously recognised, however, that the conditions of civil association are

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[79] Hutcheson, ***Inquiry***, pp. 269-270.

[80] Hutcheson, "Reflections on the common systems of morality" in Mautner ***Two Texts on Human Nature*** pp. 103-4.

[81] ***Ibid.*** p. 106. This is a similar argument to that mounted by Hume against the knave. See Chapter 5.

[82] Hutcheson, "Inaugural lecture on the social nature of man," in Mautner, ***Two Texts on Human Nature*** , pp. 124-147.

desirable for they provide an infrastructure that encourages even greater adherence to moral conduct.

While Hutcheson was distinct from Shaftesbury and Butler in taking account of the conduct of the common man, he was, like them, ultimately forced to look beyond techniques of self-government towards the stronger measures of external governmental control.

Alexander Pope: "Search then the Ruling Passion"

Perhaps the eighteenth century debate concerning the management of conduct was captured most succinctly in the poetry of Alexander Pope. Man, said, Pope, is composed, like nature, of two key elements: one for action (the passion of self-interest) and one for order (Reason), or, as he puts it:

> *Two principles in human nature reign;*
> *Self-love, to urge, and Reason, to restrain;*
> *Nor this a good, nor that a bad we call,*
> *Each works its end, to move or govern all;*
> *And to their proper operation still,*
> *Ascribe all good; to their improper, ill.*
> *Self-love, the spring of motion, acts the soul;*
> *Reason's comparing balance rules the whole.*
> *Man, but for that, no action could attend,*
> *And, but for this, were active to no end:* [83]

The impact on man of self-interest has been ambiguous, says Pope, for it has had both corrupting and enabling effects. While man's downfall is largely the result of self-interest, particularly as it is embodied in commercial society, it is out of the excesses of self-interest that man is able to rise again. Once he

[83] Alexander Pope, "Essay on Man," ***The Works of Alexander Pope***, with an introduction by Andrew Crozier (Hertfordshire: Wordsworth, 1995), p.201.

realises self-love and social love are the same, a permanent state of social order will ensue.

> *On their own axis as the planets run,*
> *Yet make at once their circle round the sun;*
> *So two consistent motions act the soul;*
> *And one regards itself, and one the whole.*
> *Thus god and nature link'd the general frame,*
> *And bade self-love and social be the same.* [84]

According to Pope, who was influenced by Locke's psychology, the clue to unravelling the puzzle of man's nature and managing his conduct was to isolate the "ruling passion." Once located, this was the only possible key to getting beyond the seeming inconsistency and irreconcilability of conflicting actions and passions to the heart of human behaviour.

> *Search then the RULING PASSION: there alone,*
> *The wild are constant, and the cunning known;*
> *The Fool consistent, and the false since;*
> *Priests, princes, women, no dissemblers here.*
> *This clue once found, unravels all the rest...* [85]

In this regard, Pope was a very influential figure who inspired thinkers such as Bolingbroke, Swift and Gay. Of course, he had been pre-empted by Hobbes who had earlier isolated the dominant passion of fear, upon which he constructed his theories for ordering conduct through absolute government.

Moral Newtonianism: The Power of Gravity

Consideration of Hutcheson's desire to adapt morality to cater for the common man who resides in a Newtonian universe, links into the concerns of another group of thinkers, that also included prominent figures such as

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[84] *Ibid.* p.216.
[85] Pope, "Epistle to Sir Richard Temple, Lord Cobham," *The Works*, p.237.

David Hume, David Hartley, Henry Bolingbroke and, indeed, Adam Smith, as well as the lesser known Gershom Carmichael,[86] Peter Paxton and Soame Jenyns.[87] They were drawn by the more precise physical principles that flowed from Newtonian physics to focus on the idea of self-interest as moral gravitation. Impressed by the success of the new sciences, particularly the Newtonian approach, these philosophers sought to bring modern scientific method to bear upon moral theory. Newton was hailed as providing proof, through his three laws of motion, of the existence of universal order and his discovery of the power of gravity to create and control the physical order offered new hope to philosophy that a moral equivalent of gravity could be found. Newtonian principles were used, by Hume and Hartley, to explain the association of ideas, and parallels were drawn between the force of gravity and feelings of natural benevolence as a socialising force. Using the principle of association, David Hartley (1705-1757) made an elaborate attempt to reconcile benevolence and self-interest. He argued that the most basic human motive was the pursuit of pleasure and that it was through the mechanism of association that base physical pleasures were refined and enriched so that they were transformed into higher pleasures, which included the pleasures of sympathy and the "moral sense." Importantly, he goes on to insist that as more associations lead to more pleasure so there are advantages in associating one's own happiness with the happiness of others, concluding that the good life is one that is well integrated with the lives of others.[88]

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[86] See Mark H. Waymack, ***Moral Philosophy and Newtonianism in the Scottish Enlightenment: A Study of the Moral Philosophies of Gershom Carmichael, Francis Hutcheson, David Hume and Adam Smith,*** (Ph.D. Dissertation: John Hopkins University, 1986) for a useful analysis of this mode of thought. He argues that in introducing this tradition to Scotland, Carmichael altered the whole domain and focus of moral philosophy. p. ii. See also Robert. E. Schofield, ***Mechanism and Materialism: British Natural Philosophy in An Age of Reason*** (Princeton: University Press, 1970) for coverage of the impact of Newtonianism in the late seventeenth and eighteenth centuries.

[87] See Milton Myers, ***The Soul of Modern Economic Man,*** p.65-75 for consideration of Bolingbroke, Paxton, Jenyns and Hutcheson in regard to moral gravitation and self-interest.

[88] David Hartley, ***Observations on Man, his frame, his duty and his expectations,*** 6th Ed. (London: T. Tegg & Sons, 1834).

Attempts were also made to link the forces of self-interest to those of gravity to show how self-interest produced a natural order, and again Frances Hutcheson was particularly important in this respect. Using the gravity metaphor, he argued that the moral world was structured by a divinely designed balance between the powerful but opposing forces of benevolence and self-interest. In other words, while he emphasised benevolence as the dominant motive of human activity he understood, in accordance with the principle of mutual attraction that it too must be subject to control. Rejecting reason as merely the faculty for discovering the efficient means to chosen ends, he saw self-interest as the partner to benevolence in this compact. While maintaining the dominance of the moral sense, Hutcheson considered benevolence too weak as a motivator towards industry and the improvement of man's material well being.

> *It is well known, that* ***general Benevolence*** *alone, is not a Motive strong enough to* ***Industry****, to bear* ***Labour*** *and* ***Toil****, and many other Difficultys which we are averse to from* ***Self-Love****. For the strengthening therefore our Motives to* ***Industry****, we have the strongest Attractions of* ***Blood****, of* ***Friendship****, of* ***Gratitude****, and the additional Motives of* ***Honour****, and even of* ***external Interest****.*[89]

Self-interest was necessary, he thought, to ensure the smooth functioning of the whole because it enabled man to see to his material needs. In other words, self-interest and benevolence were, for Hutcheson, two wheels in the mechanics of man, both of which were important to the functioning of the whole.[90]

> *Self-Love is really as necessary to the Good of the whole, as Benevolence; as that Attraction which causes the Cohesion of the Parts, is as necessary to the regular State of the Whole, as Gravitation.*[91]

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[89] Hutcheson, ***Inquiry***, II, Section 7 VIII p. 284.
[90] I am indebted to Myers, ***The Soul of Modern Economic Man***, p. 69 for this point.
[91] Hutcheson, ***Inquiry***, II Section 7 VIII p. 285.

With Hutcheson we witness a change in the broad balanced approaches towards (the common) man as it was realised that morality, based upon nature, was itself dependent upon an economic life, grounded on man's natural propensities, to furnish basic material requirements. So the story of the subject of interests and passions is continued by yet another group of thinkers who sought to prove the social efficiency of self-interest on the basis of the more common, visible and mundane idea of specialisation or "division of labour."

Specialisation and the Division of Labour

While the higher pleasures of life continued to be held in great esteem by eighteenth-century thinkers, there was a growing recognition that they were dependent upon a productive economy which could not only supply the basic necessities of life but also generate a surplus to support the growth of civilisation, now recognised as essential to the correct exercise of the "cool" passions. In other words, there was a realisation that the private interests of the individual, and their furtherance, were inextricably linked with the principle of an adequate material welfare for all, and it appeared that both objectives could be satisfied through the simple economic principle of the division of labour.

The division of labour principle is not a modern conception. Indeed, it dates back well into antiquity, featuring prominently in the thought of both Plato and Aristotle. For Plato it constituted one of the fundamental principles for social organisation. In fact, he thought states were formed on the basis of specialisation because the individual is unable to achieve self-sufficiency. Human beings have, he argues, "different natural aptitudes which fit us for different jobs" and it is intrinsically and socially beneficial for each individual

to exercise one skill or techné well rather than several averagely.[92] The multiplicity of individual needs and wants are only supplied through individuals devoting themselves to a single industry for the common good, on the understanding that others are doing the same. In this way not only is the individual and common good best served, but the quality of work is improved and much time is saved. Whilst echoing and elaborating this view, so that it encompasses the sexual division of labour, Aristotle, seems to have perceived the limits to this approach more clearly than Plato. Whilst agreeing that everything in nature has its purposes and that the telos of each man is to fulfil his own special function, he cautions against too much engagement by "free men" in the manual arts which could threaten to narrow the mind and enfeeble the body.[93] In this sense he pre-empts the concerns expressed by Adam Smith, Adam Ferguson and, indeed, Karl Marx.

The idea of division of labour re-emerged in Thomas More's ***Utopia*** (1516).[94] It was, however, in the eighteenth century that references to it became more abundant. In ***The Spectator***, for example, Sir Andrew Freeport, the literary construction of Addison and Steele, draws from the writings of Sir William Petty to advocate the desirability of specialisation in production, using the much-favoured example of the watch.

> *It is certain that a single Watch could not be made so cheap in Proportion by one only Man, as a hundred Watches by a hundred; for as there is vast Variety in the work, no one Person could equally suit himself to all the Parts of it; the Manufacture would be*

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[92] Plato, ***The Republic***, translated and introduced by Desmond Lee, 2nd Ed. (Harmondsworth: Penguin, 1974) Part II, 1, pp. 118-119.

[93] Aristotle, ***The Politics*** (Harmondsworth: Penguin, 1981) VIII ii, pp. 453-4 See also James Bonar, ***Philosophy and Political Economy: In Some of Their Historical Relations*** (London: Swan Sonnenschein & Co, New York: The Macmillan Co., 1909).

[94] Thomas More, ***Utopia***, Translated and Introduced by Paul Turner (London: Penguin, 1965) pp.75-76. While each person must engage in the common occupation of farming, which More believed was the responsibility of all, beyond that he or she should be taught a special trade of their own, usually one passed down from one's parents. More considered reduced working hours would ensure an ample wealth for all and allow plenty of time for study, literature and amusement.

> *tedious, and at last but clumsily performed. But if an hundred Watches were to be made by a hundred men, the Cases may be assigned to one, the dials to another, the Wheels to another, the Springs to another, and every other Part to a proper Artist; as there would be no need of perplexing any one Person with too much Variety, every one would be able to perform his single Part with greater Skills and Expedition; and the hundred Watches would be finished in one fourth Part of the Time...at one fourth Part of the Cost, though the Wages of every Man were equal.*[95]

Bernard Mandeville (1670-1733) is another exponent of the principle, although he does not see it as natural for humans to subdivide their labour. On the contrary, peaceful conditions, secured by the rule of law, are necessary to generate sufficient trust between people so that they can engage in the practice of specialisation, which is economically beneficial and also serves to improve the quality of goods.[96]

> *Watch-making ...is come to a higher degree of Perfection, than it would have been arrived at yet, if the whole had always remain'd the employment of one Person; and I am persuaded, that even the Plenty we have of Clocks and Watches, as well as the exactness and Beauty they may be made of, are chiefly owing to the Division that has been made of that Art into many Branches.*[97]

According to Adam Ferguson (1723-1816), "...a people can make no great progress in cultivating the arts of life, until they have separated, and committed to different persons, the several tasks, which require a peculiar skill and attention."[98] The gradual movement towards civilisation encourages the subdivision of professions and this leads to greater perfection of products, enhanced satisfaction for an increasingly consumer oriented polity, the progress of commerce and the accumulation of national wealth.[99]

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[95] Joseph Addison, Richard Steel and Others, ***The Spectator***, in 4 Volumes, Vol. II, G. Gregory Smith (ed) (London: J.M. Dent & Sons, 1945) No. 232, Monday Nov. 26 1711, p. 190.
[96] Bernard Mandeville, ***The Fable of the Bees or Private Vices, Publick Benefits, Ed.*** F. B. Kaye, Vol. II (Oxford: Clarendon Press, 1924) p.284.
[97] ***Ibid***
[98] Adam Ferguson, ***An Essay on the History of Civil Society 1767***, Edited & Introduced by Duncan Forbes (Edinburgh: Edinburgh University Press, 1966) p. 180.
[99] ***Ibid***, 180-184.

> *By the separation of arts and professions, the sources of wealth are laid open; every species of material is wrought up to the greatest perfection, and every commodity is produced in the greatest abundance.*[100]

Other cursory references to the division of labour occur in, Turgot, Hume, and Montesquieu, and there were thinkers such as William Derham, James Harris and Joseph Priestley, who exhibited an unbridled optimism about the transformative capacities of the idea of specialisation, believing it capable of providing credentials of respectability for the personality and character of economic man.[101] It is, however, in the work of Adam Smith that the division of labour argument is fully articulated, and Smith, it must be recognised, was far less optimistic in this regard. This is discussed more fully in Chapter Six.

There was, in fact, a good deal of ambivalence surrounding the "passions-interests" problem, during the seventeenth and eighteenth centuries. Certainly the broadly positive attitudes towards ideas of self-interest which are promoted, for instance by Addison and Steele in ***The Spectator*** and ***The Tatler***, and by Daniel Defoe's novels and essays,[102] were tempered by the critics of "economic man." These included Josiah Tucker and later, William Godwin, who can be seen as the predecessors of figures such as Thomas Carlyle, Charles Dickens, John Ruskin and Karl Marx who followed in the next century. Another stream of criticism derived from those within the circle of Henry Bolingbroke, such as Jonathan Swift, Alexander Pope and John Gay, who, concerned with the corrupting effects of commerce and luxury, turned to alternative ideals, drawn from neo-Romanism and the tradition of the ancient constitution, which served as a powerful emblem of

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[100] ***Ibid***, p. 181.

[101] See Myers, ***The Soul of Modern Economic Man***, pp. 76-89 for coverage of Derham, Harris and Priestley in this regard.

[102] See especially the essay "Giving Alms No Charity" in Defoe, ***The True-Born Englishman and Other Writings***, Ed. P. N. Furbank & W. R. Owens (London: Penguin, 1997) pp.230-253 for a good idea of Defoe's generally positive view of trade and commerce and its links to other aspects of his thought.

the virtuous society which they believed was threatened by the emerging commercial ethos.[103] For them the passions were seen as having a role to play in improving a world governed by interest alone and the dampening down of the potentially creative forces, that fuelled virtue and the martial spirit, through civilising modes of practice attached to self-interest and commerce, was widely perceived to have potentially negative consequences in terms of rendering individuals too docile to regulate themselves. This ambivalence is reflected in the work of Adam Smith[104] and, perhaps even more so, in Adam Ferguson's thought.[105]

Conclusion

Thus it was from the array of post-Hobbesian attempts, made by moralists and theologians, to rescue and restore human nature, that the idea of self-interest was developed and transformed to eventually link into the mundane principles of specialisation and division of labour. This suggests that economics takes shape, at least partially, as an answer to key questions of moral philosophy concerning the governance of conduct as well as responding to technical problems linked to the ordering and welfare of society. In other words, the calm passion of interest was recruited to serve the dual objectives of governing the conduct of individuals and contributing to the public good.

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[103] See, however, Quentin Skinner, "The Principles and Practice of Opposition: The Case of Bolingbroke versus Walpole," in N. McKendrick (ed) ***Historical Perspectives: Studies in English Thought and Society in honour of J. H. Plumb*** (London: Europa Publications, 1974) who offers a sceptical reading of Bolingbroke's patriotic appeal to ancient tradition in order to protect English political liberties, suggesting it was more likely that he was motivated by a desire to further his own cynical and self-interested political ends – to discredit Walpole's government – rather than any genuine mourning for lost values, as argued, for instance, by Isaac Kramnick, ***Bolingbroke and His Circle: The Politics of Nostalgia*** (Cambridge Ma: Harvard University Press, 1968).

[104] See Smith, ***Lectures on Justice, Police, Revenue and Arms***, E. Cannan (ed) (New York: Kelly and Millman, 1956) pp. 255-259.

[105] Adam Ferguson, ***An Essay on the History of Civil Society***.

In order to clarify how the subject of passions and interests was critical in laying the conditions of possibility for a (neo)-liberal art of government; it is necessary to investigate more thoroughly the work of Bernard Mandeville and David Hume. This task will be undertaken in the following two chapters.

CHAPTER FOUR
BERNARD MANDEVILLE
governing the conduct of commercial man

The Beginning of all Things relating to human Affairs was ever small and mean: Man himself was made of a lump of earth...why should we be ashamed of this?[1]

My aim is to make men penetrate into their own consciences and by searching without flattery into the true motives of their actions, learn to know themselves.[2]

Introduction

Bernard Mandeville (1670-1733) was a crucial figure in the "discovery" of "economic" or "commercial" man, and his thought exemplifies early attempts to grapple with the liberal "freedom-regulation" problem. Many of the difficulties, paradoxes and contradictions concerning questions of freedom, regulation and government that are raised through a consideration of his work continue to be of relevance today. Indeed, Mandeville is a key thinker within the terrain of this problem and the two central pillars of the liberal "freedom-regulation" problem – economics and the rule of law - emerge with particular force in his work. On the one hand he emphasises the notion of a spontaneously evolving social order which, in stressing the accidental nature of social processes, appears to lay the foundation for a *laissez-faire* liberalism.

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[1] B. Mandeville, ***An Inquiry into the Origin of Honour and The Usefulness of Christianity in War*** (London: John Brotherton, 1732) p. 131.
[2] Mandeville, ***Free Thoughts on Religion, The Church and National Happiness.*** 2nd Ed. (London: John Brotherton, 1709) p. 11.

At the same time, however, he clearly posits the need for a disciplined government of men by institutions and laws, which can and has been interpreted as highly interventionist. As I will attempt to show this tension in his work is rendered especially explicit in his thoughts on how best to govern the conduct of commercial man.

While Mandeville could not properly be considered a liberal, there is little doubt that he played a key role in influencing the direction of liberal thought, particularly as it was adopted and transformed by thinkers of the Scottish Enlightenment such as Hume, Hutcheson and Smith, and more recently by F. A. Hayek, all of whom have responded to his work to a greater or lesser degree.

The Multiple Faces of Dr. Mandeville

Unfortunately not much is known of the life of Bernard Mandeville.[3] Born and educated in Holland, he studied philosophy, then, having also completed a medical degree, took up the practice of medicine as a specialist in diseases of the nerves and stomach, focusing particularly on the "hypochondriack and hysterick passions."[4] Soon after qualifying as a doctor, he travelled to and settled in London where he not only maintained an apparently successful medical practice, but became a journalist and writer of some notoriety. He produced a series of what were widely considered

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[3] What little is known has been documented by F. B. Kaye in the "Introduction" to Mandeville's ***Fable of the Bees: or Private Vices, Publick Benefits***, 2 Vols., Vol. 1. (Oxford: Clarendon Press, 1924) pp. xvii-xxxii. Hereafter referred to as ***Fable I*** and ***Fable II***. See also Richard I. Cook, ***Bernard Mandeville*** (New York: Twayne Publishing, 1974) pp. 11-20.

[4] Mandeville, ***Treatise of the Hypochondriak and Hysterick Diseases in Three Dialogues***, 2nd Ed. (London: J. Tonson, 1730).

scandalous texts offering commentary on a range of social issues including prostitution, crime and punishment, education of the poor, the study of disease and female sexuality. That he can and has been considered variously as a satirist and wit,[5] a doctor, a social reformer, a psychologist, moralist, theologian, economist, early sociologist and a political thinker is testimony to the versatility and wide applicability of his thought.[6]

Most famous of all his works is ***The Fable of the Bees: or Private Vices, Publick Benefits,*** which began life as a poem called ***The Grumbling Hive or Knaves Turned Honest,*** but which turned eventually into a large two-volume work. Central to the ***Fable*** is the paradoxical claim for which he is best remembered: that the prosperity and well being of the nation is largely dependent on private vice. In other words, private vices yield public benefits.

Such a claim was especially contentious in the climate of the late seventeenth and early eighteenth centuries, when there was rapid growth in commerce and trade and an increasing emphasis on materials interests. While this fostered growth in production and commerce and enhanced the spread and consumption of luxuries, the practical aim of accumulating wealth was widely denounced and luxury condemned as evil and corrupting. Through his paradoxical claim Mandeville challenged such popularly held moral

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[5] Mandeville made several attempts at comic verse. See ***Aesop Dress'd or a Collection of Fables Writ in Familiar Verse*** (1704), Introduction by John S. Shea (Los Angeles: University of California, Augustan Reprint Society, 1966) No. 120.

[6] See Hector Munro, ***The Ambivalence of Bernard Mandeville*** (Oxford: Clarendon Press, 1975).

opinions and demonstrated that what is understood as vice is in fact the necessary foundation of a thriving society. This proved to be a highly influential doctrine which, as we shall see, was transformed from its status as a vice by thinkers of the Scottish Enlightenment who then used it as a key argument in their theories of political economy.

Contextualising Mandeville's Thought

Mandeville marks a key stage in the secularisation of political and social theory and is remarkable for the new and startling pattern of thought, which he fashioned from old materials borrowed from a wide range of sources.[7] He is a complex thinker who stands poised between several conflicting schools of thought, coupling, for instance, a Hobbesian cynicism about human nature with a strong hankering for economic individualism which derived, in part, from the more benevolent view of human nature that he so despised.[8] Certainly Mandeville did not idealise human nature and in this regard he can be placed alongside thinkers such as Hobbes, Swift and Machiavelli, who thought we learn more by looking at what men are rather than speculating on what they should be.

> *One of the greatest Reasons why so few People understand themselves, is, that most Writers are always teaching Men what they should be, and hardly ever trouble their Heads with telling them what they really are.*[9]

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[7] Mandeville's intellectual ancestry is charted in substantial detail by Kaye in his influential "Introduction" to ***Fable*** I. pp. lxxvii-cxiii.

[8] B. Willey, ***The Eighteenth Century Background: Studies on the Idea of nature in the Thought of the Period*** (London: Chatto & Windus, 1950) pp. 98-99.

[9] Mandeville, ***Fable I,*** p. 39.

He also shared Hobbes' basically mechanical view of human nature, perceiving humans fundamentally as sentient machines motivated by passions and appetites.[10]

> *I believe Man (besides Skin, flesh, Bones, &c. that are obvious to the Eye) to be a compound of various Passions, that all of them, as they are provoked and come uppermost, govern him by turns, whether he will or no.*[11]

Clearly Mandeville considered human beings to be fundamentally creatures of passion.

> *...the Seeds of every Passion are innate to us and no body comes into the world without them.*[12]

Nevertheless, the passions were, for him, innate only as potentialities. In order to be activated or aroused they required external stimuli.

> *Man never exerts himself but when he is rous'd by his Desires: While they lie dormant, and there is nothing to raise them, his Excellence and Abilities will be for ever undiscover'd, and the lumpish Machine, without the Influence of his Passions, may be justly compar'd to a huge Wind-mill without a breath of Air.*[13]

As a result he thought human beings "the most perfect of Animals,"[14] who needed no beliefs to lift them from their animal state. Instead, he counselled men to affirm their passionate animal nature and use it to their material advantage.

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[10]In this respect both thinkers were influenced by Pierre Gassendi's revival, in the seventeenth century, of "corpuscularianism" or mechanistic atomism, a conception of the body which can be traced back to the atomism of Democritus, Epicurus and Lucretius, that understood the passions to be innate and integral to human nature. Locke was also influenced by this conception of the body, drawing his understanding mainly from the thought of Robert Boyle. See E. McCann "Locke's philosophy of the body," in V. Chappell (ed) ***The Cambridge Companion to Locke*** (Cambridge: Cambridge University Press, 1994) pp. 56-7.

[11] Mandeville, ***Fable I,*** p. 39.

[12] Mandeville, "An Essay on Charity and Charity Schools" in ***Fable I,*** p. 281.

[13] Mandeville, ***Fable I,*** p. 184.

[14] ***Ibid, p.*** 44.

Mandeville's pre-occupation with man's passionate nature can be partially understood in the context of the strong French literary tradition of scepticism,[15] and the religious ideas of Jansenism, which had a significant impact on his thought.[16] Most important of all influences in this respect was that of Pierre Bayle, described as Mandeville's "thought ancestor," who regarded man as a creature governed by his passions and one whose actions were thereby difficult to reconcile to rational principles.[17]

Mandeville was also influenced by the introspective sensationalist psychological analyses of English empiricists such as Hobbes and Locke,[18] who, despite offering their own versions of "constructivist rationalism" via

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[15] The French anti-rationalist tradition, with which Mandeville has been identified, began with Montaigne's ***Essays***, which cast doubt on the rational element in man's nature and emphasised the inconstancy and fickleness that resulted from the action of the many contradictory passions. These sentiments found resonance in the writings of the seventeenth century "sceptiques" and "libertins" such as de Bergerac, Pierre Gassendi, La Rochefoucauld, Jacques Esprit, La Fontaine and others, many of whom were associated with Jansenist fideism.

[16] This, at least, is what Kaye argues, and he does present substantial evidence to back up his claims. See "Introduction," ***Fable I*** p.lxxxvi. See, however, Jacob Viner, "Introduction to Bernard Mandeville, A *Letter to Dion (1732),*" in ***The Long View and the Short: Studies in Economic Theory and Policy*** (Glencoe Illinois: The Free Press, 1958) p. 336, who rejects the thesis put forward by Kaye that Mandeville was strongly influenced by and responding to Continental theological controversies. These, he argues, had little or no counterpart in England, at least since the Restoration and thus we should read Mandeville as primarily directing his satire at contemporary Englishmen.

[17] Malcolm Jack, ***The Social and Political Thought of Bernard Mandeville*** (New York & London: Garland Publishing, 1987) p. 3-4. See Kaye, "Introduction," pp. xxxix-xlv in which he describes in detail Bayle's influence on Mandeville. Basically, Bayle insisted on the incompatibility of religion with both reason and human nature in general, offering the new idea that things which are obviously true and useful are required to be seen as bad from a religious perspective. He saw Christianity as ascetic in its ordinations to subdue natural human desires which were portrayed as the products of original sin and the inherently corrupt nature of man. Yet, he pointed out that humanity does not and will not submit to such discipline and even if man could be made to sincerely follow Christian principles, his nature would prevent him following his faith because men do not act generally according to their professed principles but nearly always follow the "reigning passion" of the soul and the biases of corporeal constitution, forces of habit and preferences and tastes for certain objects over others. See also T. A. Horne, ***The Social Thought of Bernard Mandeville: Virtue and Commerce in Early Eighteenth Century England*** (London: Macmillan, 1978) pp. 19-31 for a useful overview of Mandeville's associations with the French Moral Tradition.

[18] The ancient Peripatetics and Epicureans had previously elaborated these sensationalist psychological approaches.

social contract theory, were highly critical of the more speculative tendencies of Cartesian rationalism.[19] This form of analysis culminated in Hume's ***Treatise of Human Nature*** in which he cites Mandeville as one of the "late philosophers in England, who have begun to put the science of man on a new footing."[20] Newton's advocacy of the experimental method also impressed Mandeville and he was influenced by the empirical approach to medical science which Locke and Sydenham sought to encourage in England.[21]

From these various intellectual sources Mandeville constructed the infamous ***Fable of the Bees,*** in which he audaciously declared that public benefits existed because of and not in spite of private vices. As this is the crucial aspect of Mandeville's thought it is worth highlighting and considering in some detail.

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[19] See Jack, ***Social & Political Thought of Mandeville,*** pp. 24-25. Related to and interwoven in Mandeville's anti-rationalism were aspects that derived from a range of other thought currents, being explored both prior to and during Mandeville's time. These currents included a body of unorthodox thought emanating from the Epicureans and Averroists, which held the soul to be mortal; a form of anti-rationalism, prevalent in Renaissance thought, which denied the ability of reason to arrive at final truth and the seventeenth century Epicurean view that men cannot help living for what seems to be their advantage.

[20] David Hume, ***A Treatise of Human Nature.*** 2nd Ed. L. A. Selby-Bigge (ed.) (Oxford: Clarendon Press, 1978) p. xvii.

[21] As a practicing medical doctor who specialised in "diseases" of the nerves and stomach he was strongly influenced by medical conceptions about the proportion and effect of the humours - the bodily fluids of blood, phlegm, choler and melancholy - on human temperament. Indeed, Mandeville's anti-rationalism led him to criticise his medical colleagues for their fondness for hypotheses about the causes and cures of diseases. He believed that real medical skill could only be gained through practice, experience and observation which necessitates "...an almost everlasting attendance on the Sick, unwearied Patience, and Judicious as well as Diligent Observation." Mandeville, ***Treatise of the Hypochondriack & Hysterick Passions,*** 1st Ed. 1711, p. 32 quoted in Munro, ***The Ambivalence of Mandeville,*** p. 51. See also Munro's chapter "Mandeville: The Doctor," pp. 48-74.

Private Vices and Public Benefits

In the Hudibrastic poem, ***The Grumbling Hive*** (1705), Mandeville depicts society as a beehive which is prosperous and great while pride, selfishness, corruption, luxury, hypocrisy, fraud, injustice and all manner of vice are freely practiced. Some of the bees, however, are not satisfied with mixing viciousness with prosperity. Deploring the state of morals in the hive, they pray for honesty and goodness. One day Jove unexpectedly grants their wish and the hive is reformed, ridding it of all vice. As a result the hive falls into decline and recession - trade and the professions languish, unemployment and depopulation set in and the few surviving bees desert the hive for a hollow tree (a life of virtuous simplicity). The moral of the poem is, says Mandeville, that virtue alone is insufficient to make a nation great. National prosperity and happiness are founded on the vigour of vice.[22]

> *Then leave Complaints: Fools only strive*
> *To make a Great an Honest Hive*
> *T'enjoy the World's conveniences,*
> *Be fam'd in War, yet live in Ease,*
> *Without great vices, is a vain*
> *EUTOPIA seated in the Brain.*
> *Fraud, Luxury and Pride must live,*
> *While we the Benefits receive.* [23]

There is a great deal of controversy over what Mandeville meant by "private vices public benefits."[24] On this pivotal question he has been variously

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[22] Mandeville, "The Grumbling Hive: or, Knaves turn'd Honest" in ***Fable I***, p. 17-37. See Willey, ***Eighteenth Century Background***, p. 96 for a useful synopsis of Mandeville's poem.
[23] Mandeville, ***Fable I***, pp. 36-7.
[24] Hector Munro extrapolates six distinct theses embodied in the phrase: Commercial prosperity of modern states depends on luxury and it would be destroyed if people really practiced frugality rather than simply paying lip service to it; pernicious practices help contribute to prosperity; unworthy motives of self interest and self-love, in their various forms, do more to keep society going than public spirit or disinterested benevolence; lesser

interpreted as a rigorist or ascetic; a moral sceptic (either as a nihilist, pyrrhonist or anarchist); a utilitarian who views the rightness of actions as consisting in their contribution to the general welfare; and an ethical egoist who views the rightness of actions in terms of their contribution to one's own welfare.[25] He has also been interpreted as a satirist and wit who found the folly of men amusing, and a social reformer who sought to remedy specific social abuses through clear and detailed prescriptions.[26]

One of the most influential interpretations is that offered by F. B. Kaye. He ultimately sees Mandeville as a "superficial rigorist" who was also an empiricist anti-ascetic and who made his ethical standards so exaggeratedly rigorous that he rendered them impossible of observance and consequently discarded them for the ordinary affairs of the world.[27]

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evils may need to be tolerated and encouraged for the sake of avoiding greater ones; some evils or vices are deeply grounded in the basis of society - they are basic human motives - and it is idle to suppose they can easily be eliminated; and, finally, because all human actions aim at self-gratification they are all vicious so virtue itself is built upon the vice of pride. Munro, ***The Ambivalence of Mandeville***, pp. 211-223.

[25] Bonamy Dobree proclaimed him the "father" of utilitarianism, while utilitarians such as Bentham, Godwin and James Mill praised and defended him. On this see Kaye, "Introduction," p. cxxxiii. It should be noted, however, that Bentham's utilitarianism was "corrupted" by a return to the "constructivist rationalism" that Mandeville struggled to overcome.

[26] These are possible alternatives put forward by Munro, ***Ambivalence of Mandeville***. See especially p. 13 and pp.223-237.

[27] See Kaye ***Fable I***, pp.xlvii-xlviii & p.liv For a similar interpretation see Willey, ***Eighteenth Century Background***, pp. 98-99 who argues that Mandeville's rigorism aimed to demonstrate the incompatibility between traditional moral standards and actual ways of living.

This reading has been challenged by a number of commentators.[28] It is certainly a favourite theme of Mandeville's that Christian virtue is incompatible with worldly prosperity and greatness. Prior to ***The Fable of the Bees***, for instance, he had devoted a whole book to the notion that Christianity is distorted by priests and politicians in order to serve worldly ambitions, arguing that if the church had become great it could only have been by abandoning Christian virtue.[29] Yet, this does not mean that he can necessarily be read as an austere moralist or ascetic.

Indeed, for George Berkeley and William Law[30] Mandeville was an immoralist who praised vice and denigrated virtue. Along with Shaftesbury, he was classified by Berkeley as one of the free thinkers, or "minute philosophers," of his day who openly sought to question the truth of Christian doctrines. In this context Mandeville was represented as a free thinker of the lowest ilk who advocated egoistic freedom from rational and moral restraints. To Berkeley, who believed Christianity useful in governing conduct, this appeared reckless because it sought to undercut the moral motives and menaces stimulated by Christianity.[31]

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[28] See for instance, Horne, ***The Social Thought of Mandeville;*** Munro, ***The Ambivalence of Mandeville;*** Salim Rashid, "Mandeville's Fable: *Laissez-faire* or Libertinism?" in ***Eighteenth Century Studies*** 18 (1985): 313-30 & Viner, "Introduction to Bernard Mandeville."

[29] Mandeville, ***Free Thoughts on Religion, The Church and National Happiness.***

[30] See William Law, "Remarks Upon a Late Book Entitled the Fable of the Bees." (1724). In J. Martin Stafford (Ed.) ***Private Vices, Publick Benefits?: The Contemporary Reception of Bernard Mandeville*** (Solihull: Ismeron, 1997) pp. 45-96. See Russell Nieli, "Commercial Society and Christian Virtue: The Mandeville-Law Dispute," in ***The Review of Politics***, 51 (4, 1989): 581-612 for an analysis of the roles played by Law and Mandeville in the eighteenth-century controversy over the compatibility of traditional Christian moral virtues with the demands of economic and material progress.

[31] G. Berkeley, ***Alciphron or The Minute Philosopher***, Vol. 3 of ***The Works of George Berkeley Bishop of Cloyne***. Ed. T.E. Jessop (London: Thomas Nelson, 1948). The critique of Mandeville is contained in the Second Dialogue, pp. 65-111 and that of Shaftesbury in the Third Dialogue, pp. 112-141.

Some have seen Mandeville in a more sympathetic light, however, as merely recognising that the passionate nature of men made virtue impossible and thus recommending human beings affirm their passionate animal nature and use it to their advantage materially. It has also been suggested that Mandeville did not place virtue beyond the reach of man, but merely regarded it as an extreme rarity in the world of human activity[32] and something which is always the product of "Art, Education and Custom."[33] In other words, men do not possess innate knowledge of good or evil, this they have to be taught. Indeed, Mandeville can be read not as discrediting virtue and morality so much as showing its human origin as a representation of the knowledge that has been slowly and painfully acquired of how men can subdue their fears, appetites and passions sufficiently to live together in something like harmony. In effect Mandeville seems to be saying that men can never actually conquer themselves and are never altruistic. Thus it was hypocritical and deceptive to claim virtue as the basis for regulating or governing conduct.[34]

In morality there is, said Mandeville, no greater certainty than there is, for instance, in the world of art or fashion.[35] All principles of conduct, such as virtue and honour, are merely chimeras invented by moralists and

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[32] On this see John Colman, "Bernard Mandeville and the Reality of Virtue," ***Philosophy*** 47 (1972) p. 131.
[33] Mandeville, ***Origin of Honour***, p. xi.
[34] There are some interesting parallels here with Nietzsche's observation that civilisation requires a vast amount of work on the self.
[35] ***Ibid***, pp. 327-30.

politicians.[36] In other words, there is for Mandeville no final standards or criterion of conduct upon which agreement can be reached. Thus there is no such thing as a "summun bonum," indeed "...the hunting after this *Pulchrum* and *Honestum* is not much better than a Wild-Goose-Chace."[37] Consequently, says Mandeville, human beings must face the fact that moral conduct is ultimately selfish and even the most elaborate, judicial moral philosophy can be no more than a rationalisation of certain dominant desires and impulses. From this we can conclude that Mandeville considered morality as a set of contingent techniques for governing conduct which develop in response to circumstances and needs. He goes on to demonstrate that some techniques are more useful than others. In a commercial society, for instance, he thought honour a more appropriate device than virtue

In many ways Mandeville seems to have believed that a tolerable state of affairs would be reached if natural causes were allowed to produce their natural effects. A good (prosperous and strong) society will inevitably emerge, he says, if people simply go about performing activity that has been traditionally thought of as vicious, but which is not evil. Importantly, Mandeville is not saying that all vice is of public benefit. He makes a clear distinction between evil and useful vice, recommending only the useful aspects of vice as beneficial to society. Criminal vice is certainly not to be tolerated and must continue to be punished. Indeed he offers some quite harsh suggestions for reform of the penal system and modes of

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[36] ***Ibid***, p. 198.
[37] Mandeville, ***Fable I***, p. 331.

punishment.[38] Perhaps, then, Mandeville's "real" thesis is that only certain useful aspects of vice are beneficial, not that all evil is of public benefit. As he points out in ***The Grumbling Hive***, for it to be beneficial vice must always be restrained by justice:

> *So Vice is beneficial found,*
> *When it's by Justice lopt and bound*[39]

Five features of Mandeville's thought are of special significance in the context of this project. First, his anti-rationalist, egoistic psychology of human nature upon which his economic and social views were founded. Second, the critique he mounted against the eighteenth-century virtue politics of the orthodox moral reform movement; the aristocratic stoicism of Shaftesbury and the neo-Romanism of High Tories such as Bolingbroke and Swift. Third, his economic thought, which is remembered principally for mounting a defence of luxury, thereby paving the way for a respectable consumer ethic; for psychologising economics, which furnished a firm theoretical foundation for economic individualism; and, a view that the pursuit of self-interest is consistent with the good of the state. Fourth, we shall consider what is widely acclaimed his most original contribution to modern thought, the sketch he presented of the evolutionary "origin" of society. In the final section, Mandeville's prescriptions for the government of men in society are examined.

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[38] See especially Mandeville, ***An Enquiry into the Causes of the Frequent Executions at Tyburn*** (1725) Intro. by M.R. Zirker Jr. (Los Angeles: Augustan Reprint Society, 1964) in which he offers a vivid account of capital punishment together with a raft of suggestions for the control and punishment of criminals, many of which are extremely harsh.
[39] Mandeville, ***Fable I***, p.37.

1. "Vivisection of Human Nature": Mandeville's Anti-rationalist Psychology

According to F. A. Hayek, Mandeville's greatest achievement was as a "really great psychologist" who prided himself on his in-depth understanding of human nature beyond anything else.[40] Malcolm Jack endorses this interpretation, contending that Mandeville's thought can only be "coherently understood in the light of his psychology."[41] Basically, Mandeville believed that the structure of society was determined by human nature and that it was only by analysing human behaviour and motivation, that society's structures, particularly its political and economic arrangements, could be understood.

Mandeville's psychology of human nature has three principal components. First, it is anti-rationalist, so that man is understood as a creature of passions rather than one ruled by reason. The second feature is that of egoism, whereby man is seen as a fundamentally selfish being who is incapable of altruism. Third, Mandeville emphasises the tendency man has towards self-deception which leads him frequently to over value his worth.

In regard to his anti-rationalism Mandeville prefigures Hume in suggesting humans are driven by passions rather than reason: man's "strong Habits and Inclinations can only be subdued by Passions of greater Violence."[42]

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[40] F. A. Hayek, "Lecture on a Master Mind: Dr. Bernard Mandeville" in ***Proceedings of the British Academy*** LII (1966): 126.
[41] Jack, ***Social and Political Thought of Bernard Mandeville,*** Preface.
[42] Mandeville, ***Fable I.*** p. 333.

Mandeville sees reason as subordinate to the passions and any apparent displays of pure reason are merely a manifestation of the mind seeking reasons to justify the demands of the passions and appetites.[43] Thus he arrives, through his anti-rationalism, at a deterministic psychology in which reason is little more than a spectator of physical reactions.

> *We are ever pushing our Reason which way soever we feel Passion to draw it, and Self-love pleads to all human Creatures for their different Views, still furnishing every individual with Arguments to justify their inclinations.*[44]

> *All Human Creatures are sway'd and wholly governed by their Passions, whatever fine Notions we may flatter ourselves with, even those who act suitably to their Knowledge, and strictly follow the Dictates of their Reason, are not less compell'd to do so by some Passion or other, that sets them to work, than others who bid Defiance and act contrary to Both, and whom we call Slaves to their Passions.*[45]

He also offered a searing critique of the "hypocritical" attempts by "sagacious moralists" such as Shaftesbury, Addison and Steele to reform manners and language on the basis of a benevolent view of human nature. Instead, he presented an account of moral education that, in his view, befits man as he is and which could render him governable in the emerging commercial society of the eighteenth century.[46] These "hypocrites" had, says Mandeville, simply

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[43] Jack, ***Social & Political Thought of Mandeville***, p. 2. See also Nathan Rosenberg, "Mandeville and *Laissez-faire*," ***Journal of the History of Ideas***, Vol. XXIV (1963): 187 for a similar interpretation.

[44] Mandeville, ***Fable I***, p. 333.

[45] Mandeville, ***Origin of Honour***, p. 31.

[46] According to Colman's interpretation, Mandeville offers an account of moral education which he conceives as something taking place within society and not something innately impressed on man's nature or which once occurred in primitive or pre-social conditions. While Moral education is a falsehood, it is a socially useful falsehood for it is only by manipulating man's pride that he can be brought to overcome his purely self-regarding passions and seek to benefit others. Mandeville's theory of moral education explains that men, although selfish and egoistical, come to perform actions which count as manifestations of various virtues. The virtue men practice, however, does not exemplify self-denial but only the conquest of certain passions by the stronger passion of pride, which is motivated by the love of praise. Colman, "Bernard Mandeville and the Reality of Virtue," p. 131.

set about devising the equivalent of a bag of tricks suitable for teaching manners to children,[47] when what was required was a sophisticated psychological approach if commercial man was to be a self-organising, self-governing, productive being.

As we saw in Chapter Three, it was common practice for seventeenth and eighteenth-century writers to search for the ruling passion which, once located, would unravel the puzzle of man's nature. Consistent with this approach, the early Mandeville identified self-love or pride, which he saw as the instinct for self-preservation, as the ruling passion. At the same time, however, he pointed out that there existed an extensive scheme of passions - avarice, fear, anger, courage, lust, love, envy and jealousy - which, if studied and understood, could explain human behaviour and motivation.[48]

In his later work, however, Mandeville made a distinction between self-love as the physical urge to self-preservation and self-liking understood as the love of praise or approval. Although he did not deny the existence of Hobbesian self-love as the urge for self-preservation, he introduced the concept of self-liking in order to explain how the desire for self-esteem and approval can often provide a stronger motive for action than mere physical satisfaction or even the motivation to self-preservation.

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[47] Mandeville, ***Fable I***, p. 52-3.
[48] Jack, ***Social and Political Thought of Mandeville***, p. 10.

The distinction between self-love and self-liking was evident to Mandeville in that men sometimes commit suicide.[49] The assumption is that self-love has as its purpose self-preservation. But, says Mandeville, there is no reason why self-love cannot be regarded as the urge not merely to go on living but also to have a certain quality of life. Hence the need to distinguish desires for physical satisfaction from more esoteric desires for say revenge or approval which can often be stronger. Against Hobbes, then, he argues that anger, pride, envy and "several other passions," are stronger than fear.[50] But these passions are "evil in themselves" and perhaps we can see Mandeville offering a more positive notion of human motivation through the development of self-liking:

> *...we are all born with a Passion manifestly distinct from Self-love; that, when it is moderate and well regulated, excites in us the Love of Praise, and a Desire to be applauded and thought well of by others, and stirs us up to good Actions: but that the same Passion, when it is excessive, or ill turn'd, whatever it excites in our Selves, gives Offence to others, renders us odious, and is call'd Pride.*[51]

As well as being ungovernable by reason alone, human beings are, according to Mandeville's psychological analysis, completely egoistic and "cognitively deranged."[52] In other words, they have the propensity towards self-deception. Thus, all apparent altruistic qualities displayed by the human mechanism are merely disguised forms of selfishness. Yet humans have the

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[49] Mandeville, ***Fable II***, p. 136.
[50] Mandeville, ***Enquiry into the Causes of the Frequent Executions and Tyburn***, p. 31.
[51] Mandeville, ***Origin of Honour***, p. 6.
[52] This term is used by Malcolm Jack to describe the fundamental trait of self-deception that is a key component of Mandeville's psychology. Self-deception takes three principal forms: individual blindness towards one's own defects which leads to an over-valuation of self-worth; the ability to keep hidden or "suppressed" from oneself real motivations for actions (a sort of proto-Freudian subconsciousness); and an extension of Bayle's idea of inconsistency in human behaviour which makes it difficult for man to act consistently according to his principles. Jack, ***Social & Political Thought of Mandeville***, p. 19-23.

ability to constantly deceive themselves about their motives and the worth of their actions and so they work (unconsciously) to "hide" their egoism under the cover of altruism. The chief means of bringing about this relatively successful self-deception is through the passion of pride (self-love). Because of the predominance of pride or self-liking in human nature, the fear of disgrace or shame is so great that human beings are even prepared to risk death in certain circumstances. That was why public executions did not have their desired effect: they elicited a sort of rogue's honour on the part of condemned criminals so that they appeared, to onlookers, to defy death.[53] Consequently, pride constitutes the bulwark of morality for Mandeville.

Thus we can see that for Mandeville self-love and self-liking are the two main ingredients of human nature, both of which militate against the taming of man so he is fit for society. Yet, paradoxically, it is by their means that socialisation is possible at all. Self-liking may be played off against self-love and even the fear of death may be superseded by the greater fear of ridicule or disgrace. Mandeville then goes on to show how it was that honour became the substitute for virtue in governing conduct. Indeed, he sees honour as a powerful means of social control, largely because it requires a good deal of self-discipline to behave honourably, even if the ultimate motive is self-gratification. It is also the means by which men can be made useful to each other. So it is that Mandeville identifies the "Man of Honour" as a key figure in secularising the government of conduct, and honour as an ordering principle that replaces virtue.

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[53] Munro, *Ambivalence of Mandeville*, pp. 121-123 makes this point.

The Man of Honour

Mandeville took the "Man of Honour," rather than the Christian Hero,[54] as the contemporary ideal of selfhood, and proceeded to show it to be founded principally on self-liking. Instead of swearing by God the Man of Honour swears by himself - "upon my honour."[55] This sets up a sort of ideal self in his imagination against which he can measure his own conduct. When he finds it at variance he feels shame and when the conduct of others is at variance he feels affronted and demands satisfaction. In this context, Mandeville sketched the character of the "gentleman" in order to demonstrate that his noble qualities were attributable to self-liking and not innate characteristics of benevolence.[56] By way of illustration he selected the "honourable" practice of duelling which, he pointed out, was attended by the popular supposition that men were spurred to defend their honour by physical courage. He then tried to show that the Man of Honour is, in fact, primarily motivated by fear of disgrace and that his courage is artificial.

Consequently, Mandeville demonstrated that honour had its origin in man's selfish nature. It is founded on self-liking or the need for self-approval rather than innate benevolence. Thus, concludes Mandeville, it is self-liking which bids us to seek our own esteem or self-approval, a trait which he linked to the tendency human beings have for self-deception. Human beings have a propensity to overvalue their own self-worth, says Mandeville,

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[54] Richard Steele, of whom Mandeville was highly critical, wrote a text called ***The Christian Hero***, Ed. Rae Blanchard (London: Oxford University Press, 1932) which may well have prompted a response from Mandeville.
[55] Mandeville, ***Origin of Honour***, p. 87.
[56] Mandeville, ***Fable II***, pp. 86-7.

so each is anxious to have their own high opinion of themselves confirmed by others. The drive for confirmation of one's worth is modified, however, by the fact that it becomes internalised so that humans form the habit of admonishing themselves; and, more importantly, because they recognise that the opinion of others is not always worth having. More and more what counts is the approval of those who have the same high standards as oneself. In effect, therefore, the ultimate appeal is to one's own high standards and one's own approval. From this Mandeville concludes that honour is founded on self-liking or the need for self-approval rather than any innate benevolent characteristic.

> *Still the Thing, whatever it be, which a man loves, fears, esteems, and consequently reverences, is not without, but within himself. The Object then of Reverence, and the Worshiper, who pays it, meeting and remaining in the same Person, may not such a Person be justly said to adore himself: Nay, it seems to be the common Opinion, that this is true; for unless some Sort of Divinity was supposed to reside in Men of Honour, their affirming and denying Things upon that Principle could never be thought an Equivalent for an Oath, as to Some it is allow'd to be. Pray, when a Man asserts a Thing upon his Honour, is it not a Kind of Swearing by himself, as others do by God? If it was not so, and there was supposed to be the least Danger, that Men, endued with the Principle of Honour, could deceive or prevaricate, I would fain know, why it should be binding and acquiesc'd in.*[57]

Thus in man's egoistic nature is discovered a principle which can be employed in the government of self and others. Through fear of shame many men, who feared neither God nor Devil, could be curbed. Indeed, said Mandeville, it was feasible that this principle might be increased by an "artful Education" and made superior even to fear of death. The discovery of this "real Tie" which could serve many "noble Purposes in the Society"

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[57] Mandeville, ***Origin of Honour***, p. 87.

constituted, for Mandeville, the "Origin of Honour, the Principle of which has its Foundation in Self-liking; and no Art could ever have fix'd or rais'd it in any Breast, if that Passion had not pre-existed and been predominant there."[58]

> *If we consider, that Men are always endeavouring to mend their condition and render society more happy as to this World we may easily conceive, when it was evident that Nothing could be a Check upon Man that was absent, or at least appear's not to be present, how Moralists and Politicians came to look for Something in Man himself, to keep him in Aw. The more they examin'd into Human Nature, the more they must have been convinced, that Man is so Selfish a Creature, that, whilst he is at Liberty, the greatest part of his Time will always be bestow'd upon himself; and that whatever Fear or reverence he might have for an invisible Cause, that Thought was often jostled out by others more nearly relating to himself. It is obvious likewise, that he neither loves nor esteems any Thing so well as he does his own Individual; and that there is Nothing, which he has so constantly before his Eyes, as his own Dear Self. It is highly probable, that skilful Rulers, having made these Observations for some Time, would be tempted to try if Man could not be made an Object of Reverence to himself.*[59]

Female chastity is another example Mandeville offers as evidence that fear of shame or disgrace can be harnessed and brought to bear on the governing of conduct. Women, says Mandeville, are not naturally chaste, but have been kept that way (at least outwardly) through an appeal to the pride and delight they take in having a good reputation. Thus it is through love of praise, the desire for the good opinion of others and the fear of disgrace that female sexual urges have been kept in check.[60]

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[58] *Ibid*, p. 40.
[59] *Ibid* pp. 39-40.
[60] See ***Fable I***, p. 68 -72. Traces of "feminism" can be found in some of Mandeville's work in, for instance, his contributions to the ***Female Tatler*** and his first prose work ***The Virgin Unmask'd: or, Female Dialogues betwixt an Elderly Maiden Lady and her Niece, on several diverting discourses on love, marriage, memoirs and morals, etc., of the times*** (London: 1709).

The appeal to honour is a very powerful means of social control and as a principle of government Mandeville regards its invention as a much greater achievement than that of virtue. This is because it does less violence to human nature:

> *Because the One is more skilfully adapted to our inward Make. Men are better paid for their Adherence to Honour, than they are for their Adherence to Virtue: The first requires less self-denial, and the Rewards they receive for that Little are not imaginary but real and palpable. But Experience confirms what I say: the Invention of Honour has been far more beneficial to the Civil Society than that of virtue.* [61]

In short, Mandeville shows that although man does not naturally possess the qualities that make for harmonious living he can acquire them. This is possible because of his appetite for esteem and readiness to esteem himself on whatever qualities he is taught to value. Because there are many traits in his nature that militate against social harmony, civilisation is always precarious, needing constant vigilance to ensure it is maintained.

It is fair to say that Mandeville's psychological analysis reflects his ambivalent attitude towards human beings. Because he saw nature as indifferent to the progress of man, he could not share the optimism of those, like Shaftesbury, who believed in man's natural benevolence and sociability. Yet he did not think human beings completely worthless, for there is much to admire in the results of human endeavour. If human achievements are not the result of innate reason or nature they must, he reasons, be largely the product of human ingenuity and effort.[62]

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[61] Mandeville, *Origin of Honour*, p. 42-3.
[62] Jack, *Social and Political Thought of Bernard Mandeville*, p. 25.

In other words, man is essentially flawed but as a social creature he is constantly evolving, acquiring habits such as speech and the ability to reason through experience and by subjecting himself to the social arrangements which he inhabits. The difficulty and slowness of socialisation is a reflection of the great difficulties encountered in controlling human drives and regulating the passions. In other words, the governing of conduct is neither innate nor easily inculcated. It has evolved gradually over a long period of time, encountering many resistances and requiring great skill, knowledge and patience. Moreover, the skills, knowledge and techniques of governing are themselves the product of long time, experience and application. In this sense Mandeville can be compared to Nietzsche who not only recognised the immense effort that has been expended in civilising man, but who also offered powerful critiques of the Christian notion of a "deep self" and the politics of virtue.

2. Against the Politics of Virtue

According to Nicholas Phillipson, Mandeville was "by far the most deadly critic" of early eighteenth-century attempts, by figures like Shaftesbury, Addison and Steele, to construct a language of manners and politeness, demonstrating with subtlety and wit that claims to propriety which rested on benevolence were spurious and hypocritical.[63] Isaac Kramnick describes him as an "important formulator of new values for post-Revolutionary

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[63] N. Phillipson, "Politeness and politics in the reigns of Anne and the early Hanoverians" in J. Pocock et al (ed) ***The Varieties of British political thought, 1500-1800,*** (Cambridge: Cambridge University Press, 1993) p.227.

England," giving expression to a set of values that supplanted humanism and were considered appropriate to the emerging social structure and economic innovations of the period.[64]

Indeed, Mandeville can be said broadly to offer an analysis and defence of the commercial society that began to emerge in England, following the Restoration of 1660, and to mount an important critique of the politics of virtue, in its various forms, that were so prevalent in the early eighteenth century. The social thought of this period was dominated by the categories of virtue and corruption and Mandeville, perhaps more than any of his contemporaries, sought to understand the forces that others saw only as corrupting. Specifically, he mounted critical attacks on the orthodox moral reform movement, which had its origins in the religious revival that occurred during the reign of James II; and the ideas of natural benevolence put forward by thinkers such as Shaftesbury. He also offered important criticisms of the tradition of "neo-Romanism", so central to Tories, like Henry Bolingbroke and Jonathan Swift, who argued that England needed a moral revival, and recently given considerable attention by scholars such as John Pocock and Quentin Skinner.[65] His opposition to the virtue politics of the period was also reflected in his journalistic activities, specifically in his involvement with ***The Female Tatler***, a journal and scandal sheet that parodied Richard Steele's ***Tatler***, which symbolised and embodied much of

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[64] I. Kramnick, ***Bolingbroke and his Circle: The Politics of Nostalgia in the age of Walpole*** (Cambridge Ma: Harvard University Press, 1968) p. 201.

[65] See especially Quentin Skinner, ***Liberty Before Liberalism*** (Cambridge NY: Cambridge University Press, 1998) who coins the term "neo-Romanism."

the attempt to reform the manners of English society and to encourage public spiritedness.[66]

To a large extent Mandeville's thought can be seen as developing in opposition to a broad movement, organised under the auspices of the Societies for the Reformation of Manners, which was directed towards the enforcement of laws against moral offences and had its heyday between 1690 and the late 1720s. Behind their calls for reformation he detected pride, hypocrisy, self-deception and a refusal to face unpalatable facts about human nature. Rejecting their notion that virtue was the cement that holds society together, his examination of human nature and society revealed instead that society was founded on passions, needs, self-interest, the desire for approval and the commerce that was necessary for basic human appetites to be fulfilled. Since passions, needs and interests were not categorised as virtues, it must be admitted, he reasoned, that a complex society demands vice be mixed with virtue. Annoyed by their self-congratulatory claims to have rectified evils, which in his view they had only exacerbated, Mandeville consistently aimed to expose the comforting fictions perpetrated by the Societies and to demonstrate the ineffectiveness of their policies and methods.[67] Not only had their attempts to control crime through the reform of manners and educating the poor been completely ineffective but, declared Mandeville, they were misguided as well.

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[66] The first issues of *The Tatler* and *Female Tatler* appeared respectively on 12 April 1709 and 8 July 1709. Cited in Horne, *Social Thought of Mandeville*, p. 9.

[67] See Horne, *Social Thought of Mandeville* p. 1-18; and Munro, *The Ambivalence of Mandeville*, p. 75-103 for a detailed analysis of this aspect of Mandeville's social thought.

In two pamphlets: A ***Modest Defence of Public Stews*** (1724), and ***An Enquiry into the Causes of the Frequent Executions at Tyburn*** (1725), Mandeville set out to demonstrate just how ineffective the Reform Movement had been in ridding society of acknowledged evils such as prostitution, petty theft, fraud, robbery and murder. He sought to show that prosecution, punishment and moral exhortation had little or no effect in wiping out prostitution and that public executions would not deter the criminally inclined when they were conducted in a carnivalesque manner so that criminals were seen as public heroes by onlookers who then believed "...that there is nothing in being hang'd but awry Neck, and a wet pair of Breeches."[68] Mandeville also thought that the "evil consequences" of prostitution were not necessarily due to whoring as such, but more to its mode of organisation and he argued strongly for the establishment of state-owned (public) brothels.[69] On the ineffectiveness of the current measures in dealing with crime in general he says:

> *Many good Projects have been thought of to cure this Evil, by sapping the Foundation of it: A Society has been set up to reform our Manners; and neither Workhouses, nor Discipline on small Crimes, have been wanting: An Act has been made against prophane Cursing and Swearing; and many Charity Schools have been erected. But the Event has not asnwer'd hitherto the good Designs of those Endeavours. This City abounds as much with loose, lazy, and dishonest Poor; there is as much Mischief done by ordinary Felons; and Executions for Theft and Burglary are as frequent at least, as ever.*[70]

As part of an attempt to curb vice and establish a virtuous England, the Reform Societies had argued for strong law enforcement against "moral

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[68] Mandeville, ***Enquiry into the Causes of the Frequent Executions at Tyburn***, p. 37.
[69] Mandeville, ***A Modest Defence of Public Stews*** (1724), Intro. R. Cook (Los Angeles: Augustan Reprint Society No. 162, 1973).
[70] Mandeville, ***Enquiry into the Causes of Frequent Executions***, pp. 1-2.

offenses" and they had considerable influence in this regard during their period of popularity, although their claim to have effected 101,683 prosecutions in the years since their foundation cannot be substantiated.[71] As the reform movement began to wane in the 1720s Mandeville redirected his critique of virtue against the aristocratic Stoicism of the third Earl of Shaftesbury.

Mandeville was a "deadly critic" of moralists who claimed to discover some innate moral capacity in human nature that explains the fact men perform good actions. While he does not deny that such a capacity can be acquired, he does deny that it is innate. Thus he was particularly malevolent towards Lord Shaftesbury, a "highly principled Whig" with a strong dislike for enthusiasm and fanaticism,[72] and the most well known representative of aristocratic Stoicism. As we saw in Chapter Three, Shaftesbury believed man to be naturally disposed towards benevolence and sociability. Consequently he epitomised to Mandeville the most "horrible example" of everything with which he disagreed, and one function of ***The Fable*** was to mount a scathing attack on Shaftesbury's ***Characteristics***.[73]

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[71] Horne, ***Social Thought of Mandeville***, p. 1-4. This claim was made in the final (1738) edition of their handbook, ***Help to a National Reformation.***

[72] J. M. Robertson, "Introduction," to ***Shaftesbury, Characteristics of Men, Manners, Opinions, Times, etc.*** Vol. I. Ed. Robertson (Gloucester Mass: Peter Smith, 1963) p. xxxi. See especially Shaftesbury's "Letter Concerning Enthusiasm" in the same volume. Shaftesbury believed the proper regimen for enthusiasm was ridicule and vigilant self-judgement: self-discipline leads men to "conquer" their passions and so grow better. While virtue is natural to man there is an art or refinement in terms of how one manages one's natural preferences. Thus for Shaftesbury misconduct is bad taste in morals - hence it is unsurprising that poorly educated people display error in their ethics just as they do in their aesthetics. Basically to be good humoured and cultivated was, for Shaftesbury, to be right in religion and conduct and thus to be happy. See. Robertson, "Introduction," p. xxx.

[73] Over fifty years earlier Jansenism and those associated with its ideas, such as Pascal, had mounted a major attack on aristocratic virtue and the revival of Stoicism.

> *That boasted middle way, and the calm virtues recommended in the characteristicks, are good for nothing but to breed Drones, and might qualify a Man for the stupid Enjoyments of a Monastick Life, or at best a Country Justice of Peace, but they would never fit him for Labour and Assiduity, or stir him up to great Achievements and perilous Undertakings.*[74]

Indeed, Shaftesbury exemplified what Mandeville most detested: the refusal to face facts and see man and society as they really are. As part of his critical strategy he satirised Shaftesbury, beginning Part II of the ***Fable*** with his mouthpiece, Cleomenes, declaring that he has renounced his previous errors and will now aim "to Judge of Mens Actions by the lovely system of Lord Shaftesbury, in a Manner diametrically opposite to that of the Fable of the Bees."[75] Thus, says Mandeville, he will put the best possible construction on men's motives supposing them to be influenced only by benevolence and public spiritedness.[76] He then set out to oppose Shaftesbury's system by showing that all motives have their origin in self-interest.

Unlike Shaftesbury, Butler, Hutcheson or Smith, Mandeville did not accept the existence of a regulatory disposition in the form of a moral sense or conscience, which is separate from the passions. As we have seen, in his scheme there are two regulatory dispositions both of which derive from the passions: self-love and self-liking (or the desire for approval). Only these dispositions can be said to be part of "original human nature" and have a bearing on the governing and regulation of conduct. Everything else is

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[74] Mandeville, ***Fable I***, p. 333.
[75] Mandeville, ***Fable II***, p. 43.
[76] Shaftesbury does not deny men often act from selfish motives but his main thesis is that men are happier when they subordinate the self affections to the benevolent ones which he sees playing a larger part in human conduct than is usually supposed. Many of our

acquired by art, education, habit and discipline. Ironically, however, Mandeville's key ordering principle of self-liking, which is the basis of honour, derives in part from one of the self-affections identified by Shaftesbury as "Emulation, or Love of Praise and Honour."[77]

In general Shaftesbury's thought was driven by an optimistic view of man, and was heavily influenced by Stoic ideas and thus compatible with an aristocratic view of the world which denies the nature of man to be essentially egoistic and prideful. For Mandeville this view resulted from self-deception - from pride that misunderstood itself and deluded men into thinking they can deny their passionate nature and elevate themselves above the *hurly burly* of commercial life. Nevertheless, Shaftesbury's thought constituted a more difficult target for Mandeville than the virtue politics of the orthodox moral reformers, which was based on theological justifications and a recognition of the human propensity towards a pride which must be overcome.[78] Against these, and other moralists such as Addison and Steele, Mandeville only had to argue that virtue through self-denial was impossible for most men and generally irrelevant to society. However, Shaftesbury's doctrine of a natural moral sense, which does not begin with an awareness of the weakness of fallen man, proved much harder for Mandeville to undermine.

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impulses or affections are directed towards the public rather than private good. For a discussion of this see Munro, ***Ambivalence of Mandeville***, pp. 107-111.

[77] See Mandeville, ***Fable II*** pp. 64-5.

[78] Horne, ***Social Thought of Mandeville***, p. 50.

> *The Generality of Moralists and Philosophers have hitherto agreed that there could be no Virtue without Self-denial; but a late Author, who is now much read by Men of Sense, is of a contrary Opinion, and imagines that Men without any Trouble or violence upon themselves may be naturally Virtuous...This Noble Writer (for it is the Lord Shaftesbury I mean in his Characteristicks) Fancies, that as Man is made for Society, so he ought to be born with a kind Affection to the whole, of which he is a part... and imagines that a Man of sound Understanding, by following the Rules of good Sense, may ...govern himself by his Reason with as much Ease and Readiness as a good Rider manages a well-taught Horse by the Bridle.*[79]

Where Shaftesbury's conception of the rise and nature of society was determined by his faith in the actuality of altruism, Mandeville's account was driven by his belief in the essential egoism of human nature. Shaftesbury took benevolent human characteristics to be natural whereas Mandeville showed them to be artificial and the result of education, discipline and custom. He tried to demonstrate that the natural herding principle, so important to Shaftesbury's system, was simply another manifestation of pride. It wasn't that Mandeville necessarily denied virtue or sympathetic emotions such as compassion, but that he saw them as fundamentally selfish and refused to accept virtue as "true virtue."

Mandeville can also be contrasted to a figure like Henry Bolingbroke and those within his circle such as Alexander Pope, John Gay and Jonathan Swift. They rejected commercial values and criticised Mandeville for his associations with the morality of the market, yearning instead for a return to the principles of England's "ancient constitution" which were modelled on

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[79] Mandeville, ***Fable I,*** "A Search into the Nature of Society" pp. 323-4.

early Roman history.[80] They were fearful that luxury, which was perceived as the desire for individual selfish gain, would lead to widespread corruption so that men caught up in the pursuit of wealth and riches were unable to consider the good of the public. In ***The Idea of a Patriot King***, for instance, Bolingbroke hoped "...to reinforce the spirit of liberty, to reform the morals" of men who were "debased from the love of liberty, from zeal for the honor and prosperity of their country, and from a desire of honest fame to an absolute unconcernedness for all these, to an abject submission, and to a rapacious eagerness after wealth, that may sate their avarice, and exceed the profusion of their luxury."[81] Though Bolingbroke professed a desire for prosperity, this was the prosperity of a previous era before merchants; stockjobbers and public debts had sullied society.

Interestingly, the belief that widespread luxury destroyed public virtue was also shared by radical or "Real Whigs" like Thomas Gordon and John Trenchard.[82] While Bolingbroke and the radical Whigs disagreed on certain political issues, they shared a belief in the importance of public-spiritedness, the perception of widespread corruption and a rejection of luxury and the new commercial world. As a result they tended to valorise the austerity of primitive civilisations, such as those of Rome and Sparta, attributing their greatness to the absence or rejection of luxury and the inculcation of virtue, and their subsequent fall to corruption. This, they feared, would be

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[80] On this see Kramnick, ***Bolingbroke and His Circle*** and J. G. A. Pocock, ***The Ancient Constitution and the Feudal Law*** (Cambridge: University Press, 1967).
[81] Bolingbroke, ***The Idea of a Patriot King*** (Indianapolis: Bobbs-Merrill, 1965) p. 6.
[82] Much of Gordon and Trenchard's thought was set out in the ***London Journal*** and the frequently reprinted ***Cato's Letters***.

England's fate. If luxury became both a public and private obsession so the country's decline would inevitably follow.[83]

Within this context Mandeville emerges as a defender of commercial expansion and Whig constitutionalism, seeing such doctrines as both necessary for national greatness and in accord with his basic view of human nature. An austere and virtuous society, such as that dreamed of by Bolingbroke and his friends, offered little scope for the satisfaction of pride and avarice.[84]

It was not that Mandeville was antipathetic towards "civilised" life: as a man of science, he applauded the progress that had led, over time, to man's refinement, represented in the politeness of the Augustan age.[85] He was highly critical, however, of what he saw as the hypocritical moralising that underpinned the culture of manners so much a part of that time. Mandeville considered good manners, urbanity and politeness to be important because they are attributes possessed by the Man of Honour which he continually insisted was the real contemporary ideal of selfhood and not that of the Christian Saint. Thus he sought, through his support for the emerging commercialism of post-revolutionary England, to challenge the virtue politics of the eighteenth century, which warned of the constitutional and

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[83] Isaac Kramnick suggests that the hatred of the new economic order emanated primarily from parts of the literary community associated with the gentry. See Kramnick, ***Bolingbroke and His Circle.*** Indeed, Swift parodies Mandeville's proposition that national greatness rested on vice rather than virtue in ***Gulliver's Travels (1726)*** and ***A Modest Proposal (1729).*** See Swift, ***Gulliver's Travels and Other Writings,*** Ed. Ricardo Quintana (New York: Modern Library, 1958) pp.3-243 and 488-496 respectively.
[84] Jack, ***Social & Political Thought of Mandeville,*** p. 54.
[85] ***Ibid,*** p. 63.

moral corruption that could attend this new trend. Against those who argued that luxury weakened the strength and courage of the nation's men he pointed to the level of employment created through luxury spending by the wealthy, claiming the effects of universal frugality, urged by moral reformers and some politicians, would be disastrous.[86]

In summary, whether promulgated by the orthodox reform movement, theorists of natural benevolence or neo-Romanists, the politics of virtue was, in Mandeville's view, totally incompatible with a prosperous and powerful commercial England. He saw certain features of the traditional Christian and Stoic moral teachings as based on world-denying attitudes. If strictly adhered to he feared they would thwart commercial and scientific progress. As for the precepts of neo-Romanism, they involved the retrieval of a mythical virtuous past which was in no way conducive to the forward looking progressive attitude that Mandeville considered necessary for an economically prosperous society.

This, then, brings us to a discussion of Mandeville's economic thought, which is linked to his psychology of human nature and his critique of virtue politics.

3. Economics: *Laissez-faire* or Intervention?

Much of Mandeville's economic thought is grounded on his psychological observations of human nature. For instance, he had no qualms in advocating

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[86] Horne, ***Social Thought of Mandeville***, p. 61.

luxury because he considered the desire for luxury to be a "natural" expression of the passion of avarice, which is linked to the instinct for self-preservation. By stressing the social importance of luxury, Mandeville propounds his theory that society is possible because of the "vices" of men and through his elaborate psychological analysis he is said to have furnished a "genuine philosophy for individualism in economics thereby undermining powerful justifications for trade restrictions."[87]

There are two principal elements to Mandeville's economic thought: a defence of luxury against commonly held beliefs that it was corrupting and wasteful and thus economically dangerous; and an argument that the pursuit of self-interest is consistent with the good of the state. He also offered a limited defence of free trade. Thus, some commentators have seen him as being an important forerunner of *laissez-faire* liberalism,[88] while others maintain he properly belongs to the school of late mercantilism.[89]

With regard to his defence of free trade, Mandeville argued that business flourishes best when there is least interference by government, at both the domestic and international levels. Specifically, he believed internal affairs were best left to their own devices[90] and advocated "freer trade" between

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[87] Kaye, "Introduction," p. ciii.
[88] Hayek and Kaye are prominent examples.
[89] See for instance Jacob Viner, "Introduction to Bernard Mandeville, A Letter to Dion (1732)" who seeks to demonstrate Mandeville's mercantilism. See also Malcolm Jack ***Social and Political Thought of Mandeville***, and Thomas Horne, ***Social Thought of Mandeville***, pp. 51-75, who contends that while Mandeville's thought is consistent with liberal elements of later mercantilism it was fundamentally mercantilist.
[90] Mandeville, ***Fable I***, pp. 299-300 & ***Fable II***, p. 353.

states in the interest of maintaining the "balance of trade."[91] This was not, however, an original argument as there was already a wealth of thought concerning not only the removal of trade barriers and tariffs, but also surrounding questions of religious tolerance and the extension of freedom into other fields, especially that of commerce. Mandeville's originality lay instead in his argument that the pursuit of self-interest is consistent with the good of the state. Prior to Mandeville it was considered that the welfare of the state as a whole and the interest of individual inhabitants did not necessarily correspond.[92]

Albert Hirschman sees Mandeville as a key figure in taking up and developing the idea of harnessing rather than repressing the passions and making them work towards the general welfare. Hume also adopted this approach, identifying avarice rather than pride as the ruling passion of man. Following him, Smith continued to emphasise the isolated passion of avarice, while effectively blunting Mandeville's "shocking" paradox by substituting interest or advantage for passion or vice. In this limited form the idea of harnessing the passions through the acquisitive drive, which flowed from Mandeville's isolation of the drives to preserve and esteem the self, through pride and the love of praise, survived to become a major tenet of nineteenth century liberalism and a central construct of economic theory.[93]

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[91] Mandeville, ***Fable I***, pp. 109-116.
[92] Kaye, ***Fable I***, p. ciii.
[93] A. O. Hirschman, ***The Passions and The Interests: Political Arguments for Capitalism before Its Triumph*** (Princeton: Princeton University Press, 1977) pp. 15-30.

The question of whether Mandeville can be properly seen as a forerunner of *laissez-faire* economics is controversial. According to Kaye's interpretation, by combining arguments for free trade and the correspondence between self-interest and public good, Mandeville was led ***towards*** a *laissez-faire* position. Prior to Mandeville, says Kaye, there had been no systematic formation of *laissez-faire* grounded on the philosophy of individualism. All previous manifestations were unsynthesised because they lacked such a philosophy. ***The Fable of the Bees*** was, he says, "...one of the chief literary sources of the doctrine of *laissez-faire*" because of the "philosophy of Individualism so prominent within it." Moreover Mandeville's exposition of the individualistic position was the "most brilliant, the most complete, the most provocative, and the best known until Adam Smith made the *laissez-faire* position classic in the Wealth of Nations."[94]

The assessment of Mandeville as a precursor to *laissez-faire* is challenged by Salim Rashid who argued that Mandeville's defence of luxury was no more than a defence of luxurious libertinism. Any emphasis on his contribution to economic theory is mistaken, says Rashid, for what Mandeville really meant was that moralists should not interfere with the ***social*** relations that arose naturally among members of society.[95] Jacob Viner also rejects interpretations of Mandeville as a pioneer of *laissez-faire* liberalism. In his view it is misleading to impute to eighteenth-century writers, modern ideas about the *laissez-faire*-intervention (freedom-regulation) dichotomy. Thus, it constitutes a serious misrepresentation to read ***Private Vices: Public Benefits***

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[94] Kaye, ***Fable I,*** p. cxl.

as a *laissez-faire* motto that postulates natural harmony between individual interests and the public good.[96]

Perhaps Mandeville is best understood, therefore, as a transitional figure poised on the cusp between the older tradition of mercantilism and the emerging trend towards *laissez-faire*. On the one hand, he emphasised the extreme egoism and self-interestedness of man and shows that, appropriately cultivated; the passions of men are the motor of prosperity, well being and civilisation. On the other hand, he appeared to see the egoism of man demanding continual governmental activity.

This conundrum permeates Mandeville's social thought and his views on government, which are the subjects of the next two sections.

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[95] Salim Rashid, "Mandeville's Fable: *Laissez-faire* or Libertinism."

[96] Viner argues that it is not safe to label anyone prior to Smith an exponent of *laissez-faire*. Viner, "Introduction to Bernard Mandeville, A Letter to Dion (1732)" p. 340, suggests that Mandeville's position is consistent with the later stages of mercantilist thought, at least the English variant, which was essentially libertarian in comparison to Keynsianism and only seems interventionist when compared to Smith or the English classical and Continental liberal schools of the nineteenth century. See also Nathan Rosenberg, "Mandeville and *Laissez-faire*," pp. 184-9 who attempts to find a middle position between the mercantilist and *laissez faire* positions.

4. Society: Spontaneous Order or Disciplinary Construct?

Two principal ideas are said to mark Mandeville's importance in the development of modern social and economic thought: that of evolution and that of a spontaneous order.[97] Mandeville was perhaps the first to offer a predominantly secular account of social evolution, making the instructive and significant observation that many things generally attributed to individual genius are, in fact, the product of "...long time and many generations slowly and unconsciously co-operating to build up arts without any great variety in natural sagacity."[98] The notions of spontaneity and evolution cannot, however, be divorced from Mandeville's pronounced emphasis on social reform, strong government and disciplinary control, all of which suggest a high degree of intervention. As we might expect, therefore, Mandeville's social thought is studded with ambivalence and paradox. While he admires the evolutionary progress of man, who has gradually adapted over time to his environment and eventually reached a state of civilisation, he does not see this civilising process occurring naturally. Instead, it requires a good deal of effort and skill.[99]

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[97] Hayek strongly emphasises this interpretation of Mandeville.

[98] Leslie Stephen, ***History of English Thought in the Eighteenth Century***, 2 Vols. 3rd Ed. (New York: Peter Smith, 1949) Vol. 2. p. 41.

[99] Kaye argues that there is no predecessor, not even Hobbes, who can offer an account of social evolution to rival remotely that presented by Mandeville in Part II of the ***Fable of the Bees***. In this respect he marks a significant advance on previous thinkers, such as Plato, Aristotle and Lucretius, who had given embryonic and fragmentary considerations to the idea of the evolutionary growth of society but who had not realised, as Mandeville did, how little society was deliberately "invented." Those "modern" thinkers who sought to explain the origin of society, such as Matthew Hale, Fontenelle, Machiavelli, Bodin, Grotius, Selden, Milton, Hobbes, Pufendorf, Filmer, Locke and Vico had, to differing degrees, been constrained by theological preoccupations. See Kaye, "Introduction", p. cxiii.

Notably, Mandeville sees society springing not from natural amiable virtues but from attempts to satisfy or remedy the variety of wants, needs and imperfections of man. The more prodigious the desires and needs the more likelihood there is of a large and flourishing society developing:

> *...no Societies could have sprung from the Amiable virtues and Loving qualities of Man...on the contrary ...all of them must have had their Origin from his Wants, his Imperfections, and the variety of his Appetites: We shall find likewise that the more their Pride and Vanity are display'd and all their Desires enlarg'd, the more capable they must be of being rais'd into large and vastly numerous Societies.*[100]

Mandeville's understanding of the state of nature was conjectural in the sense that he viewed it as the state man would be in without the constraints of political society embodied in civil law.[101] Like Hobbes, he presented a gloomy picture of the condition of life outside civil society. The state of nature is depicted as a most unattractive realm of uncontrolled liberty where there is no moral sense, little prudence and men have almost no regard for the interests or even existence of others. This is because notions of right and wrong and the institutions of property and law are products of civilised society. In the state of nature, by contrast, "...no Man would keep a Contract longer than that Interest lasted, which made him submit to it."[102] Yet in charting man's struggle for existence, Mandeville showed how he gradually elevated himself above the wild beast to form societies for mutual protection, and how the emerging order was gradually strengthened by the "military

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[100] Mandeville, ***Fable I***, p. 346.
[101] Jack, ***Social & Political Thought of Mandeville***, pp. 30-34.
[102] Mandeville, ***Fable II***, pp. 267-8.

passions,"[103] giving rise to the authority of institutions such as the market and the law.

Unlike Hobbes, however, Mandeville did not see man as completely unfit for society. He offers a far more complex view. While he rejected the proposition that man is naturally or innately benevolent and sociable, he saw man as a creature in whom sociableness is a potential. "Nature had design'd Man for Society, as she has made Grapes for Wine."[104] In other words, while the potential for social life exists in human nature, its realisation depends on a long evolutionary process of trial and error. The potential for wine is innate to grapes but the process of fermentation is necessary for this to be realised. This is analogous to the requirements for social formation. The sociableness of man can be compared to the "vinosity" of wine and the social equivalent of the process of fermentation is "mutual commerce."[105] Thus, says Mandeville, man is sociable in a qualified sense: only after he has lived in society and discerned the advantages of living with others.

Mandeville offers a three stage anthropological account of the progress of man from the state of nature to civil society. These occur as a result of three main pressures which require greater organisation to take place: the need to defend self and family from the threat of wild animals; the fear which humans, as individuals and groups, have of each other and of rival groups; and the invention of letters by which laws can be written down and the

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[103] Stephen, *History of English Thought in the Eighteenth Century*, Vol. 2, pp. 40-1.
[104] Mandeville, *Fable II*, p. 185. He describes man's fitness for society from pp.177-184.
[105] *Ibid*, pp188-9.

administration of justice formalised.[106] These stages do not, however, ensure the establishment of political order for they happen to man in whom sociability is only a potential. For this potential to be exploited, that is for society to become possible, man has to be morally and politically "managed." In other words, human beings slowly come to realise that to live peaceably together they need government and laws, which they all obey, and above all they need to control their passions. Such management can only occur, in Mandeville's view, through man's own ingenuity in seizing the opportunity of social life offered by the accidents that arise within his environment.

Thus Mandeville saw society as a collective of component units - men of passion with certain psychological characteristics - and he advocated the controlled liberty of men who are subject to the laws and institutions of government. Perhaps we can say that Mandeville had an "agonistic" understanding of society and social relations:

> *...the Sociableness of Man arises ...from...Two things, viz. The multiplicity of his Desires, and the continual Opposition he meets with in his Endeavours to gratify them.*[107]

In other words, Mandeville recognised that peaceful existence required government and government required wise laws. Hence he is unequivocal in advocating discipline and restraint of the passions. As he saw it government of the passions and appetites was necessary if society was to flourish.

> *...by Society I understand a Body Politick, in which Man either subdued by Superior Force, or by Persuasion drawn from his*

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[106] ***Ibid***, pp. 260-269.
[107] Mandeville, ***Fable I***, p. 344.

> *Savage State, is become a Disciplin'd Creature, that can find his own Ends in Labouring for others, and where under one Head or other form of government each Member is render'd Subservient to the whole, and all of them by cunning Management are made to Act as one. For if by society we only mean a Number of People, that without rule or Government should keep together out of a natural Affection to their Species or Love of Company, as a Herd of Cows or a Flock of Sheep, then there is not in the World a more unfit Creature for Society than Man.*[108]

Mandeville was anxious to stress the benefits of social life and to "educate" the minority of those who would be leaders into the "difficult art of government" which begins with an understanding of human psychology.[109] This art of government is analogous to the art of wine making. Just as human wisdom and skill is necessary for the process of transforming grapes into wine so these same skills are required to bring about man's sociableness. In other words, social formation entails a delicate balancing of the laws of nature and those of human contrivance. Nothing requires greater skill than the formation of a society of "independent Multitudes," yet the processes of social formation cannot simply be attributed to the "Work of Nature, "the Author of Nature," or "Divine Providence." They are "invented" through human experimentation and adaptation and therefore slow to develop and quite imperfect.[110]

> *...the Works of Art and human Invention are all very lame and defective, and most of them pitifully at first: Our knowledge is advanced by slow Degree, and some Arts and Sciences requires the Experience of many Ages, before they can be brought to any tolerable Perfection.*[111]

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[108] ***Ibid I,*** p. 347.
[109] Jack, ***Social & Political Thought of Mandeville,*** p. 38. There is considerable debate about the role Mandeville envisaged for leaders or skilful politicians in the processes of socialisation and government and this will be addressed in more detail below.
[110] Mandeville, ***Fable II,*** pp. 185-6.
[111] ***Ibid,*** p. 187.

Despite his strong anti-rationalism, reason plays a role in the management and formation of society for Mandeville, and in general it can be said that he employs a Lockean understanding of reason, thought and language, all of which require much "Time and Practice" to develop. Reasoning is, he says, a social art which has been acquired over hundreds of years.[112] As we have seen, this evolutionary understanding of reason is especially important for Hayek. The socialisation of man needs to begin when the child is very young and Mandeville endorses Locke's views on child-rearing and human understanding, observing that "...by Care and Industry Men may be taught to speak, and be made sociable, if the Discipline begins when they are very young."[113]

> *Man is a rational Creature, but he is not endued with Reason when he comes into the World; nor can he afterwards put it on when he pleases, at once, as he may a Garment. Speech likewise is a Characteristick of our Species, but no Man is born with it; and a dozen Generations proceeding from two Savages would not produce any tolerable Language; nor have we reason to believe that a Man could be taught to speak after Five and Twenty, if he had never heard others before that time.* [114]

The fact that humans take such a long time to grow and develop the faculties of thought and speech and certain other aptitudes is one of the principal reasons why they are docile and thus, by and large, amenable to socialisation.

> *...we are not a little indebted for our Docility, to the Slowness and long Gradation of our Encrease.*[115]

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[112] ***Ibid,*** p.190 and 219.
[113] ***Ibid,*** pp. 190-1.
[114] ***Ibid,*** p. 190.
[115] ***Ibid,*** p. 191.

Mandeville's work exhibits strong tensions between notions of spontaneity and self-regulation on the one hand, and overt discipline and intervention on the other. Crucially, this tension or agonism brings to light the two poles of the freedom-regulation problem. The non-intervention/intervention question (or freedom-regulation problem) is clearly a controversial issue for Mandeville's interpreters. Hayek seems to read Mandeville almost entirely through the first pole of his thought, thereby emphasising the notions of evolution, spontaneity and non-intervention. Thus, for Hayek, Mandeville advocates non-interference by government and exhibits unequivocal faith in the felicity of a spontaneous order. In his view, Mandeville should be interpreted to mean that the proper function of government is to establish a framework of wise laws and to establish a system where any arbitrary exertions of government are eliminated or at least minimised. He quotes Mandeville thus "...how the short-sighted wisdom, of perhaps well-meaning people, may rob us of a felicity, that would flow spontaneously from the nature of every large society, if none were to divert or interrupt this stream."[116]

Through his famous paradox that private vices often produce public benefits, Mandeville points towards notions of the spontaneous growth of orderly social structures of law, morals, language, the market, money and technological knowledge.[117] It is not so much that he "discovered" these notions, says Hayek, for they had both been emerging well before Mandeville's time, it is more that he gave form to the "right questions" and

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[116] Mandeville, ***Fable II***, p. 353, quoted in Hayek, "Bernard Mandeville," p.135.

in so doing illuminated a "new" object - the self-forming order without a design - which was later to be addressed through the social sciences, economic theories and biology.[118] In emphasising the ideas of spontaneity and evolution Mandeville is likely to have drawn on the works of Sir Matthew Hale and other English common law theorists who, as we saw in Chapter Three, had to some extent preserved a notion of evolutionary growth. Yet, says Hayek, this older tradition had been swamped by the devastating effects of constructivist rationalism inspired by the work of Descartes, Hobbes and Leibniz, which saw laws and political order as the product of design, originated by single individuals and tending towards single ends, rather than the more sophisticated evolutionary accounts that had prevailed in an earlier era.[119]

In eschewing ideas of rational design and constructivist politics and opting for a revival of older evolutionary explanations of social formation, it is Hayek's view that Mandeville makes a decisive break with key streams of seventeenth-century thought. He refuses the juridical ideas of contract and those of civic humanism, directing his social thought instead towards describing the emergence, over a long period of time, of a spontaneous order which he saw underlying the institutions of the market and common law. He tried to show that the "order" of society and culture is a complex structure that has evolved from individual strivings which had no specific

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[117] Hayek, "Bernard Mandeville," p. 129.
[118] *Ibid*, p. 127.
[119] *Ibid*, pp. 131-133. Hayek argues that one can find the first modern theories of society in the teachings of the sixteenth century Spanish Jesuits who set themselves to systematically question how things would have ordered themselves if they had not been arranged by the deliberate efforts of government.

purpose or end but which were channelled to serve such ends by institutions, practices and rules which also had not been deliberately invented but had grown up through processes of trial and error.[120]

At times, however, Mandeville clearly attributes the invention of virtue and society to lawgivers and wise men. This has led some commentators to interpret his allusion to the "dextrous management" by which the "skilful Politician" might "turn private vices into public benefits"[121] to mean that Mandeville favoured government intervention in the direction of economic activity.[122] Others have interpreted him as recommending that politicians construct morality.[123] Jacob Viner argues, for instance, that, in contrast to Smith, Mandeville placed great emphasis on the important role of government in producing a strong and prosperous society through the detailed and systematic regulation of economic activity. As evidence he points to Mandeville's frequent references to the role of "the clever Politician" in skilfully managing or governing the population. We can also consider his texts on prostitution, education and punishment as further evidence of his interest in social reform and the role played by government in this field. Indeed, Viner sees Mandeville following Hobbes in believing that the discipline imposed by positive law and enforced by government was essential if a prosperous and flourishing society was to be derived from

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[120] *Ibid*, p. 137.

[121] References to the "skilful Management of the clever Politician" can be found in Mandeville, ***Fable I.*** p. 51 and 369 and in ***Fable II***, p. 31.9

[122] See for instance Jacob Viner, "Introduction to Bernard Mandeville" p. 341.

[123] In "An Enquiry into the Origin of Moral Virtue," ***Fable I***, p. 42-57 Mandeville does tend to give this impression himself when he refers to "those who have undertaken to civilize Mankind" p. 42. By the time he came to write the ***Origin of Honour***, however, he seems to have developed a stronger notion of the evolutionary development of arts of government.

communities of individuals vigorously pursuing their self-regarding interests. [124]

Nathan Rosenberg has sought to resolve these conflicting interpretations suggesting that, in referring to the skilful management of politicians, Mandeville is merely advocating intervention to the extent that the appropriate structures, framework, laws, rules and institutions can be developed so that society can eventually run itself. In short, he was an interventionist but not in the conventional sense; the intended result of intervention was to create the conditions where further intervention was not required. Thus the politicians' work is not to repress man's egoistic tendencies but to "provide the channels or grooves along which these impulses may be asserted."[125] In other words, human capacities are important in bringing the evolutionary development of laws and institutions to a point where they can function of their own accord "...with as little skill as is required to wind up a clock."[126] Malcolm Jack adopts a similar approach, suggesting Mandeville prefigured Smith and Ferguson in recognising the complexity of social organisation and the impossibility of completely controlling human affairs. His account of social evolution and his political and economic doctrines are processes in the psychological conditioning of individuals that contribute to the harmonious functioning of the whole.

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[124] Viner, "Introduction to Mandeville," pp.341-2.
[125] N. Rosenberg, "Mandeville and *Laissez-faire*," pp. 184-9.
[126] Mandeville, ***Fable II***, p. 323.

Perhaps, in referring to the skilful management of politicians, Mandeville can best be understood as presenting a parable rather than a historical study. He did not literally mean that politicians constructed morality, but more that they directed instincts already predisposed to guidance. While man lacks any constant "natural" standard of conduct, as demonstrated by the many fluctuations of taste in both art and morality, Mandeville thought he was malleable and by and large could be brought to heel:

> *...it is the* ***Work of Ages*** *to find out the true Use of the Passions, and to raise a Politician, that can make every Frailty of the Members add Strength to the whole Body, and by dextrous management turn private Vices into publick Benefits.*[127]

Mandeville seems to think that the invention of virtue by politicians and moralists was a confidence trick. The tricksters were not, however, motivated purely by personal ambition; they also wanted to "render men useful to each other as well as tractable."[128] This could only be achieved through a slow evolutionary process by which politicians, "having studied Human Nature, have endeavour'd to civilize Men, and render them more and more tractable, either for the Ease of Governours and Magistrates, or else for the Temporal Happiness of Society in general."[129]

There is ample evidence upon which to construct a more "agonistic" reading of Mandeville than Hayek does. For one can note a paradox between the passionate creature who is naturally docile - not because he is naturally subdued by reason, but because he develops so slowly - and the notion that this docility is apparently a potentiality which, to be realised, requires moral

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[127] Mandeville, ***Fable II***, p. 319 - my emphasis.

education and discipline from a young age. In other words, Mandeville has a paradoxical view of man's development that involves the twin emphases of spontaneity and discipline. This can be seen as an alternative to work upon a Christian soul.

Thus we encounter a vital tension which characterises the majority of Mandeville's work. At times he stresses the accidental nature of the social process, anticipating Smith and Ferguson in identifying the unintended consequences of human actions; and at others he seems to emphasise a more explicit, Machiavellian art of manipulation.[130] Some processes, such as social evolution, are "natural" and come about through favourable accidents rather than being the product of human design, and some require the more active participation of "skilful politicians" to help create a sense of public interest and turn private vices into public benefits. Both accounts emphasise the importance of psychology to Mandeville's concerns and explain why his social theory eschews quasi-legalistic concepts, employing instead socio-economic and psychological explanations. In short, Mandevillian Man becomes political (makes a transition from the state of nature to civil society) because that is how he can best realise his potentialities.

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[128] Mandeville, ***Fable I***, p. 47.
[129] Mandeville, ***Origin of Honour***, pp. 40-41.
[130] Jack, ***Social and Political Thought***, pp. 40-43. The latter emphasis is more prominent in Mandeville's early work, although the two tend to co-exist in his mature work and, from the perspective of this thesis, it seems more interesting to seek to preserve rather than resolve this "agonism." By the time he came to write Part II of the ***Fable*** his interest had shifted more towards the process of social evolution and to sketching a conjectural history of the origin of society, although he continued to hold to his earlier account of how political society is actually established.

In any event, Mandeville clearly thought that an art of government must be acquired in order that the state of "uncontroul'd Liberty" be transformed into society. It is to a consideration of the form this art of government took that we will now turn.

5. The Art of Governing Conduct

> *All Men uninstructed, whilst they are let alone, will follow the Impulse of their Nature, without regard to others; and therefore all of them are bad, that are not taught to be good: so all Horses are ungovernable that are not well broke...no fine-spirited Horse was ever tame or gentle, without management... Vice proceeds from the same origin in Men, as it does in Horses; the Desire of uncontroul'd Liberty, and Impatience of Restraint, are not more visible in the one, than they are in the other; and a Man is then call'd vicious, when, breaking the Curb of Precepts and Prohibitions, he wildly follows the unbridled Appetites of his untaught or ill-managed Nature.* [131]

It is clear that Mandeville considered it an extremely difficult task to develop an appropriate art of government. He recognised that the success or failure of society depends on its "skill" in directing the passions of men towards goals defined by a larger collectivity and if it was to be effective, government must be built "upon the knowledge of human nature." In other words, skilful government requires great knowledge of human psychology.

> *All sound Politicks, and the whole Art of governing, are entirely built upon the Knowledge of human Nature. The great Business in general of a Politician is to promote, and, if he can, reward all good and useful Actions on the one hand; and on the other, to punish, or at least discourage, every thing that is destructive or hurtful to Society.*[132]

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[131] Mandeville, ***Fable II,*** pp. 269-70.
[132] ***Ibid,*** pp. 320-1.

The basic aim of government is:

> *To preserve Peace and Tranquility among Multitudes of different views, and make them all labour for one Interest, [this] is a great Task; and nothing in human affairs requires greater knowledge, than the Art of Governing.*[133]

In other words, government requires great knowledge of human nature and needs skilful governors or managers whose aim is to get the whole social body to function like clockwork. The politician's function in this process is to establish the "rules of the game," in structuring a system of rewards and punishments that will encourage individuals to perform socially useful acts in the pursuit of their private interest. Once this system is in place society will virtually run itself with a minimum of government intervention, driven almost entirely by the energy of individual egoism. In Mandeville's words, "the art of governing should be little more than guarding against human Nature."[134] By accruing the wisdom of human experience and embodying the understanding of human nature in an appropriate system of laws and regulations, Mandeville thought the "arbitrary exertions of government power would be minimised."[135] Thus the proper function of government is to establish a framework of wise laws and institutions, which are the product of long experience and trial and error. The development of such a finely tuned social order, where the pursuit of individual self-interest is made to harmonise with the interest of others, is a difficult, delicate and complex task, requiring skills that are, in many ways, analogous to those possessed by a watchmaker:

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[133] ***Ibid***, p. 318.
[134] ***Ibid***, p. 319.
[135] Rosenberg, "Mandeville & *Laissez-faire*," pp. 192-3.

> *when once [laws, regulations and government apparatus] are brought to as much Perfection, as Art and human Wisdom can carry them, the whole machine may be made to play of itself, with as little Skill, as is required to wind up a Clock; and the government of a large City, once put into good Order, the Magistrates only following their Noses, will continue to go right for a great while, tho' there was not a wise Man in it...*[136]

Although Mandeville conceives the social order as emerging and forming gradually, he clearly posits the need for disciplined management, albeit through wise laws and institutions that evolve over time. He accepts and even endorses the need for strong government. Time and again he stresses the undeniable need for a body of laws and regulations which must be extensive if they are to curb the passions and appetites of human beings:

> *The regulations only, that are required to defeat and prevent all the Machinations and Contrivances, that Avarice and Envy may put man upon, to the Detriment of his Neighbour, are almost infinite.*[137]

Indeed, the amount of laws, ordinances and prohibitions necessary to "govern a large flourishing City well " are "...prodigious beyond Imagination; and yet every one of them tending to the same Purpose, the curbing, restraining and disappointing the inordinate Passions, and hurtful Frailties of Man."[138] While the framework of prohibitions, coercions and constraints envisaged by Mandeville may be prodigious, they are predictable because they are embodied in public statutes.[139] What is to be particularly admired about the majority of the "vast Multitude of Regulations" is that they are the

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[136] Mandeville, ***Fable II,*** p. 323.
[137] ***Ibid,*** p. 321.
[138] ***Ibid***
[139] Rosenberg, "Mandeville & *Laissez-faire,*" pp. 192-3.

"Result of consummate Wisdom... (and) ... the Product, the joynt Labour of several Ages."[140]

In other words, laws are admirable because they have developed over many generations and are not the product or work of one or two great men or particular generations. "It is not Genius, so much as Experience, that helps Men to good Laws."[141] It is this that makes strong government and a multiplicity of rules, regulations and ordinances acceptable. We can see that Mandeville supports strong disciplinary government providing it is not perceived as the product of deliberative design perpetrated by specific individuals. In short, he advocated a government of men by laws and institutions which are the product of time and experimentation, rather than a government of men by other men. This prescription is reiterated in the work of Hayek and indeed, can be seen as a classic formulation of a central neo-liberal principle.

It cannot be denied, however, that the result of Mandeville's governmental prescriptions is highly disciplinary and interventionist. Still, despite his recommendations for strong social discipline, Mandeville does not see the art of government having the objective of crushing the passionate nature of human beings; it is more that certain passions need to be harnessed if order is to be attained.

> *Would you render a Society of Men strong and powerful, you must touch their Passions.* [142]

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[140] Mandeville, ***Fable II, pp.*** 321-22.
[141] ***Ibid,*** p. 319.
[142] Mandeville, ***Fable I,*** p. 184.

Certain passions are to be either encouraged or discouraged over others depending on the type of society that is required. For instance, if a "bold and Warlike" society were sought then one would turn to military discipline and "make good use of their Fear, and flatter their Vanity with Art and Assiduity." But if one requires an "opulent, knowing and polite Nation" then Mandeville recommends to "...teach 'em Commerce with Foreign countries ...promote Navigation, cherish the Merchant, and encourage Trade in every Branch of it; this will bring Riches and where they are, Arts and Sciences will soon follow, and by the Help of what I have named and good Management, it is that Politicians can make a People potent, renown'd and flourishing." If a "frugal and honest society" is sought then "... the best Policy is to preserve Men in their Native Simplicity, strive not to increase their Numbers; let them never be acquainted with Strangers or Superfluities, but remove and keep from them every thing, that might raise their Desires, or improve their Understanding."[143]

In summary, Mandeville saw society emerging gradually through the process of evolution, and this was an important observation in his day, which tended to lack a sense of history. But he also recognised that social formation necessitated an art of government that relied on human psychology and strategies and tactics for curbing the passions. Obviously, Mandeville recognised the need for government and authority because order and stability were necessary preconditions for trade and commerce to thrive and the nation to grow and prosper. Thus, men owed obedience to the

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[143] *Ibid* pp. 184-5.

highest magistrate because without such compliance government, security or order would not be possible. Nevertheless, Mandeville was not concerned so much with a search for moral answers to the question of why men should obey the state, but more with what form that government takes. Yet he points to the fundamental undecidability of what in fact constitutes the best form of government:

> *And, which is the best Form of [government], is a question to this Day undecided. The Projects, good and bad, that have been stated for the Benefit, and more happy Establishment of Society, are innumerable; but how short-sighted is our Sagacity, how fallible human Judgment! What has seem'd highly advantageous to Mankind in one Age, has often been found, to be evidently detrimental by the succeeding; and even amongst Contemporaries, what is rever'd in one country, is the Abomination of another.*[144]

Ultimately, Mandeville seems to have accepted the "happy mixture" of monarchy, aristocracy and democracy of the English constitution, made commonplace by Locke, since he believed this led most nearly to the possibility of order, security and social and economic progress.[145]

It should now be clear that Mandeville considered psychology the key to successful government and that it had precedence over economics or mere administration. Within the extensive scheme of passions identified by Mandeville those which contributed most to social formation were self-liking (self-esteem) and fear tempered by understanding. He thought fear rendered men governable, and without government there would be no

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[144] *Ibid*, p. 187.
[145] Jack, ***Social & Political Thought***, pp. 49-51.

society, and understanding enabled men to find ways to subdue their fears.[146]

Conclusion

Mandeville's preoccupation with ideas of cultural transmission and moral education, rather than any notion of innateness of attributes and qualities, makes him, in a sense, a precursor to the thinkers of the Sottish Enlightenment such as Hutcheson, Hume, Smith and Ferguson and ultimately Hayek. Indeed, Hayek suggests that Mandeville played a key role in "constituting" a "new" understanding of the modern mind through his suggestion that humans are motivated primarily by passions which drive the dictates of reason.[147] In this and other respects he prefigured Hume and, indeed, it could be argued that Mandeville's significance is rendered explicit in the work of Hume. Mandeville also pointed out, as did Hume, that justice and probity were largely the products of an evolutionary material process rather than original implantations in the minds of men. The discovery of an astounding order, which had not been designed by man, was for many the chief evidence of the existence of a divine creator. But in the sphere of moral and political thought Mandeville and Hume showed that justice and probity had grown, like the mind itself, through a process of gradual evolution. The shock waves that flowed from this realisation served to destabilise accepted understandings of man, forcing a revolution in anthropological and moral thought. Mandeville also had substantial

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[146] *Ibid*, pp. 36-7.
[147] Hayek, "Bernard Mandeville," pp. 140-1.

influence on the Conservatism of Burke and on the continental "historical schools" which, through Herder and Savigny, made the idea of evolution commonplace in the social sciences well before Darwin.

While the scholarship of those like Pocock, Andrew Skinner, Istvan Hont and Michael Ignatieff has drawn attention to the influence of civic humanism and natural law on the thinkers of the Scottish Enlightenment, it is a less commonplace observation that these thinkers owed intellectual debts to Mandeville, despite the fact that they criticised his work. Clearly Mandeville did not accept the "mythologies" of contract or the virtue demanded by civic humanism and neo-Romanism. He thought contract was a creature of natural law that posited a state of nature in which an original compact established a constitution and defined rights and responsibilities of ruler and ruled; and civic humanism gave a prominent role to founders and legislators who were supposed to have devised the laws and original constitutions of their societies and imposed institutions which inculcated virtue.

Mandeville shows the origins of virtue and honour are ignoble.[148] Education and custom are important in fixing honour and shame as principles to regulate human conduct and bring about man's sociability. In this respect the Scottish thinkers absorbed or adopted much pertaining to his account of society and morality, rejecting natural law and civic humanist approaches in favour of a notion of the authority of social institutions - the market and the

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[148] In this respect, and perhaps in others, Mandeville prefigures Nietzsche.

rule of law - which evolve over a long period of time.[149] At the same time, however, they explicitly rejected what they perceived to be his ascetic premises that selfish and self-interested behaviour was vicious. In other words, they accepted his demonstration that behaviour typical of a commercial society was beneficial, but discarded his ascetic standard of virtue, arguing that if vice produced so much good in the world then there is a language error in calling this generator of activity vice. It should more properly be called good, or at least beneficial.

> *And indeed it seems, upon any system of morality, little less than a contradiction in terms, to talk of a vice, which is in general beneficial to society.*[150]

In this way the Scottish thinkers rehabilitated human nature by adopting moral theories within which luxury, selfishness and pride were not necessarily vices to be condemned. So they were able to moralise the practices of a commercial society which led to prosperity and happiness rather than the virtue demanded by civic humanism or the performance of duty demanded by natural law.[151]

Perhaps more than anything else, Mandeville was a brilliant satirist whose main targets were human folly, pretentiousness and the capacity for self-deception. Over nature he emphasised custom and experience and the

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[149] M. M. Goldsmith "Regulating Anew the Moral and Political Sentiments of Mankind: Bernard Mandeville and the Scottish Enlightenment," ***Journal of the History of Ideas*** 49 (1988) makes this point.

[150] Hume, "Of Refinement in the Arts" in ***Essays Moral Political and Literary*** Vol. 1 (Edinburgh: Bell, Bradfute & Blackwood, 1817) p. 277. Elie Halévy, ***The Growth of Philosophic Rationalism,*** (London: Faber & Faber, 1949) pp. 15-16, also makes a similar point suggesting that Mandeville was prevented from discovering the thesis of the "identity of Interests" through his confused and erroneous morality. If vice that is beneficial to the public is egoism why, asks Halévy, persist in calling it vice?

[151] Goldsmith, "Mandeville & the Scottish Enlightenment," pp. 604-6.

necessity for strong government which uses the human passions of pride and self-liking to keep the peace and promote prosperity. Against the virtuous ideals of those whom he called the *Beau Monde* he posed a coherent set of values based on the demands of a commercial nation and strong laws and government which he considered important in the founding and maintenance of society. Above all he hated cant and hypocrisy and refused to be blinded by comforting conventional fictions, insisting always on showing men as they "really" are. "You, sir," he told Berkeley, "think it for the Good of society that human Nature should be extoll'd as much as possible: I think, the real meanness and Deformity of it to be more instructive. Your Design is, to make Men copy after the beautiful Original, and endeavour to live up to the Dignity of it: Mine is, to enforce the Necessity of Education and mortify Pride."[152]

Our story will be continued in the following two chapters as we consider the work of two thinkers who were influenced by Mandeville: David Hume and Adam Smith

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[152] Mandeville, *A Letter to Dion*, p. 48.

CHAPTER FIVE
David Hume
Palliating the Incurable Weaknesses of Men

Introduction

Through the persona of the sceptic,[1] David Hume marked out his position in one of the key debates of his time. This debate centred on the problem of accounting for the ordering of the world, the self and society in the face of a decline in the explanatory power of religion and superstition and in the context of an emerging commercial ethos. Hume's age was one in which old political, religious and dynastic conflicts and loyalties were to some extent contested by new challenges and opportunities that were predominantly economic. This is not to imply, however, that there was a distinct rupture so that older religious and social traditions gave way abruptly to new secular and commercial practices. For it was the case, as Basil Willey, Jonathan Clark and Jeremy Black point out, that traditional institutions continued to dominate eighteenth century life and thought so that people still looked, in large part, to their explanatory codes for the standards of conduct by which to live.[2]

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[1] See David Hume, "The Sceptic" in *Essays and Treatises on Several Subjects,* in 2 Vols. Vol. 1, *Essays, Moral, Political, and Literary* (Edinburgh: Bell & Bradfute & W. Blackwood, 1817) pp. 155-177. See also Marie A. Martin, "Hume as Classical Moralist" *International Philosophical Quarterly* Vol. XXXIV, 3 (135, 1994): 323-334, who argues that Hume can be interpreted through his essays on the ancients as a mix between a sceptic and a stoic.

[2] Basil Willey, *The Eighteenth Century Background: Studies on the Idea of Nature in the Thought of the Period* (London: Chatto & Windus, 1950), p. 101; J. C. D. Clark, *English Society 1688-1832: Ideology, social structure and political practice during the ancien*

This chapter aims to show how, after rejecting traditional devices (reason, religion, benevolence and self-preservation) for legitimating government and grounding political allegiance, Hume attempted to address these and the general problems of governing conduct using historical and naturalistic explanations.

Because he rejected theological assumptions, declined to look outside the visible universe for explanations, and refused any appeal to an afterlife, Hume was forced to look to human nature itself for clues to the questions of government and order. The task became one of explaining human conduct in general and the human proclivity towards obedience or allegiance to government without any grounding notion of rational design, or teleological presuppositions that human beings either have a destiny to be good or that goodness is divinely implanted. Hume did this by pursuing to its utmost the trajectory of empiricist thought largely inaugurated by Locke and elaborated by Berkeley.[3] He showed that, if rigorously applied, their methods ultimately resulted in scepticism and from this position he developed a naturalistic approach, which shifted the explanatory burden for moral phenomena to the physical, social and historical conditions in which men live.[4] In this sense, Hume's approach to the political problems of his day can be seen as fitting with what John Kenyon calls a distinctly "English approach to political thought" which was strictly legalistic and historical and

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regime (Cambridge: Cambridge University Press, 1985); and Jeremy Black, ***The Politics of Britain 1688-1800*** (Manchester & New York: Manchester University Press, 1993).

[3] This trajectory can be traced back even further than Locke to include William of Occam, Francis Bacon and Thomas Hobbes.

[4] See Knud Haakonsen, "Jurisprudence and Politics in Adam Smith," in Haakonssen (ed) ***Traditions of Liberalism: Essays on John Locke, Adam Smith and John Stuart Mill*** (Australia: Centre for Independent Studies, 1988), pp 109-110.

operated according to the maxim "oldest is best" whereby the antecedents of any doctrine were almost as important as its intellectual validity.[5]

Pivotal to the post-Revolutionary British politics of Hume's age was the question of whether divine right or election provided the true basis of government and whether the obligations of subjects were founded on passive obedience or resistance. Notwithstanding the Revolution Settlement, the Act of Settlement and the Anglo-Scottish Union, fundamental questions about the relationships between the monarch and parliament, parliament and the people, and the Church of England to a protestant nation, deeply penetrated by dissent, served to fracture British/English understandings of obligation and allegiance to authority from the Glorious Revolution of 1688 until 1745.[6]

While England had become a mixed monarchy, there was great controversy about how this mixture was to be described: in terms of contract, either ancient or modern; or on the basis of passive obedience. Hume had a long-standing interest in the legitimacy of the Revolution Settlement and the Hanoverian Succession, and the account of legitimacy and political allegiance which he was to offer served to provide a more respectable intellectual foundation for the Revolution Settlement than either the theories of contract or passive obedience had been able to do.[7]

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[5] J. P. Kenyon, "The Revolution of 1688: Resistance and Contract" in Neil McKendrick (ed) ***Historical Perspectives: Studies in English Thought and Society in Honour of J. H. Plumb*** (London: Europa Publications, 1974) p. 56.

[6] Nicholas Phillipson, "Politics and Politeness: Anne and the early Hanoverians," in Pocock (ed) ***The Varieties of British Political Thought, 1500-1800*** (Cambridge: Cambridge University Press, 1993) pp 211-2.

[7] See Hume "Of the Original Contract," and "Of Passive Obedience," in ***Essays, Moral, Political & Literary***, pp. 444-466 & 467-471 respectively. Both theories had suffered from

Crucially, therefore, Hume eschewed any notion of a social contract, in either its ancient form or the modern form put forward by Locke in ***The Second Treatise of Government***.[8] Through his de(con)structive analysis of reason and religion Hume demonstrated that government of both self and society rested ultimately on human convention, interest and history, rather than any rationalist construct, and as such is the best means available for promoting civility, order, stability and prosperity. In so doing he revealed that the Glorious Revolution (1688), the Succession and the politics of the Robinocracy (Walpole's regime) could only be defended on the grounds that they were necessary for the maintenance of political order on which justice and the progress of commerce depended.

While he recognised that a fairly reliable set of rules is necessary to enable human beings to live reasonably civilised lives, Hume was under no illusion that it was possible to find a foolproof remedy capable of finally curing the weaknesses that plague human nature. The best that could be offered was a series of palliative measures designed to alleviate or minimise suffering, thereby allowing greater enjoyment of the temporal pleasures and

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the exaggerations and distortions that were largely the product of the enthusiasm generated by party factionalism, which Hume perceived as a major threat to civil society. According to Nicholas Phillipson, British party conflict or factionalism was a symptom of the "Grotian confusion" that plagued British politics in general. This confusion centred on the fact that the separation of powers was neither governed by clear constitutional principles or general consensus. See Phillipson, "Politics and Politeness," pp. 211-2.

[8] See Kenyon, "The Revolution of 1688," pp. 43-69 who offers a critical perspective on the dominant Whig history of the Revolution, Exclusion Crisis and the Act of Settlement. According to the Whig view James II was deposed because he had broken an Original Contract. Thus the decision to grant the crown to William in 1689 was seen as an implied act of resistance. Kenyon suggests that far from gaining widespread acceptance, there is considerable doubt as to whether these theories that royal authority depended on an implied contract appealed to more than a small minority of the articulate governing classes. Thus the high posthumous reputation of Locke's ***Two Treatises of Government***, was not reflected in contemporary popularity. As John Dunn remarks, "The book at no time secured the sort of unquestioned acceptance and esteem which it is customary to assert for it

possessions that can be had in this life. In Hume's view the desire human beings have to secure and enjoy worldly pleasures and goods, rather than strive for otherworldly rewards, offered a far more plausible explanation of their willingness to enter into political conventions that involved a duty of obedience.

The emphasis Hume gives to history and evolution bears witness to the role played by Bernard Mandeville in influencing his thought. Importantly, both thinkers drew from the English common law tradition, outlined in Chapter Three. Drawing further on Mandeville, Hume recognised the significance of pride and interest in shaping human understandings of politics, justice and morality and, like Mandeville, he strongly emphasised the principle of honour as a powerful governing technique. At the same time, however, he was critical of Mandeville and followed Hutcheson in displaying a wariness towards the language of self-love. Thus Hume formulated a new theory of resistance which was based on interest and what he saw as a natural human disposition to submit to political authority.

Deconstructing the Flimsy Superstructure of Reason

While Hume was strongly influenced in his enquiries by Shaftesbury, Mandeville, Locke, Hutcheson and Butler, those "late philosophers of England...who have begun to put the science of man on a new footing..."[9] he did not impute the same degree of calculation and foresight to human

today." See Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969) p.8.

[9] Hume, *A Treatise of Human Nature*, Edited with an Introduction by L. A. Selby-Bigge, 2nd Ed. Revised by P. H. Nidditch (Oxford: Clarendon Press, 1978) p.xvii.

nature as did these thinkers.[10] Although he considered the world to be completely ordered and subject to rules of necessity – for him there was no such thing as chance – he did not concur with Shaftesbury and Hutcheson's conclusion that the evident order of the world implied the existence of an independent orderer or rational designer.[11] Indeed, as we shall see, Hume's own attempt to construct a "science of man" is marked throughout by paradox and ambiguity.

Hume's analysis undermined the rationalist philosophical structure that had been erected on the foundations laid by Descartes. As Basil Willey nicely puts it, "the illumination became dark with excessive light, and reason was used to reveal the limitations of reason."[12] Thus, Hume, following Mandeville, found the rationalist philosophy of natural right, self-evident truth and the laws of eternal and immutable morality, which were supposed to guarantee the harmony of nature and order of human society, unsustainable. As well as setting out to destroy the flimsy superstructure of pure reason and the fragile foundations of religion, Hume also sought to show that "...it is a good thing to trust to instinct, to give oneself up to nature, without being duped by any logical illusion."[13]

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[10] Mandeville excepted.

[11] See for instance, Hume, *Dialogues Concerning Natural Religion*, Ed. John Valdimir Price, *The Natural History of Religion & Dialogues Concerning Natural Religion* (Oxford: Clarendon Press, 1976) p.241.

[12] Basil Willey, *The Eighteenth-Century Background*, p. 111.

[13] Elie Halévy, *The Growth of Philosophic Radicalism*, (London: Faber & Faber, 1949) p.11.

Basically, Hume demonstrated how the concept "reason" had uncritically combined three fundamentally different operations under the one term: deductive formal reason, applicable only to mathematics and analytical propositions; empirical or inductive reason, which deals with matters of fact; and the ascription of value as it applies to human conduct. He sought to show how the empirical and social sciences were distinct from those of deduction; and how ethics, politics and other social studies, where judgements of value have to be taken into account, are fundamentally different to both the deductive and empirical sciences. With regard to the empirical and newly emerging social sciences, Hume demonstrated that they were neither natural, necessary or universal and showed how they were filled with conventions which seem valid and inescapable because they have been used habitually and have proven useful in offering rules of action. According to Hume, these sciences proceed more from imagination than they do reason and from the tendency to assume more regularity in nature, society or human conduct than is certain. The role played by the imagination, or lack of it, also helps explain why human beings have a tendency to become addicted to general rules. In Hume's opinion human beings tend to suffer from "inertia of the imagination," thus they are content for the most part to rely on general rules set down by others and to carry their maxims beyond the initial reason that induced them to develop and accept them.[14] This inertia and passivity which tends to afflict most human beings lays down fertile conditions in which normalising practices for governing conduct can flourish.

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[14] Duncan Forbes, ***Hume's Philosophical Politics*** (Cambridge: Cambridge University Press, 1975) pp.12-14.

In the realm of conduct, Hume argues that reason in itself cannot dictate ways of acting or behaving. It is the guide of conduct only as it shows the means by which certain ends can be reached and certain consequences avoided. Thus it is confused to think that there are rational principles of right, justice, utility or liberty, which are necessary and inescapable as dictated by the laws of nature. While he concedes that some generally reliable rules are necessary in the interests of convenience and stability, Hume is adamant they are not universal truths embedded in nature. They are standard ways of behaving which have been justified on the basis of experience and fixed by habit. In short, such rules of conduct are contingent and dependent for their existence on their continuing social utility. The best that can be hoped is that they work reasonably well in preserving stability and serving human interests. If they become too inconvenient, however, they will, he claimed, be changed, even where necessary through violence. There are two main bodies of such conventions: the rules of justice, which regulate property; and those concerned with the legitimacy of political authority.

For Hume, therefore, social values like justice, allegiance and liberty are perceived as social artifices, or fictions, based on conventions, which derive their authority from habit and custom, and upon which we rely psychologically to make sense of the world. The trouble is we have misunderstood them, seeing them as either the laws of nature or God, or the work of a superhuman being. This is because the "mind has a great propensity to spread itself on external objects" and then fail to recognise its own handiwork in creating connections and conjunctions that cannot be

substantiated. [15] Religious propensities are the clearest proof of the human tendency to impute supernatural meaning to what are in fact natural phenomena and Hume had very little time for false religious beliefs. He thought they were the matrix of various forms of enthusiasm, to which he was vehemently opposed and besides, the prevailing religions which were supposed to comfort man and restrain his passions, appeared to him to do little more than reflect his deepest melancholy and worst feelings.[16]

The other major sources of enthusiasm despised by Hume were "false philosophy," the roots of which are frequently mingled with those of religion; and the advent of political parties, which he thought posed a new threat to civil society. False philosophy has manifested variously as superstition, metaphysics and rationalism, all of which are united by the desire to locate, outside the customs and beliefs of common life, an Archimedian point from which to judge the whole order. The two main forms of false philosophy in politics, identified by Hume, are "political Cartesianism," exemplified in the theories of natural right, original contract and natural law;[17] and the providential or eschatological theory of politics, which is deeply rooted in the Hebrew-Christian tradition and refers to the notion of an unfolding of God's will or spirit through history.[18]

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[15] Hume, ***Treatise***, p. 167.

[16] See Leslie Stephen, ***History of English Thought in the Eighteenth Century***, 2 Vols. 3rd Ed. (New York: Peter Smith), Vol. I, pp. 325-337 for a discussion of Hume's critique of religion. In this respect Hume can be compared to Nietzsche.

[17] See Donald Livingstone, ***Hume's Philosophy of Common Life*** (Chicago & London: Chicago University Press, 1984), Chapter 10. According to Duncan Forbes, however, Hume's target was not natural law per se but the abstract rationalism propounded by thinkers such as Cudworth, Clarke and Wollaston, whom we considered briefly in Chapter Three. Forbes, ***Hume's Philosophical Politics***,, p.16-17.

[18] Livingstone, ***Hume's Philosophy of Common Life***, Ch. 11 This form of philosophy culminates in the work of Hegel and, indeed, in secular form in Marx.

It was Hume's view that a "true" philosopher (presumably he had himself in mind) will expect no more order than he is able to discover in experience. The mature philosopher is one who can recognise the limits of human understanding and accept the limited role for philosophy in the realm of common life. He can trust to "common sense, and the general maxims of the world" for instruction concerning what constitutes the happiest life and accepts that "...to reduce life to exact rule and method, is commonly a painful, oft a fruitless occupation."[19] The mature philosopher realises his "cognitive alienation" from ultimate reality, but continues to inquire, although he can only do so through the "leaky weather-beaten vessel" of common life, recognising that it is only through the vehicles of custom and belief that thought of the world is possible.[20] In other words, the "true and proper Province" of philosophy is "the examination of common life,"[21] a realm which possesses sufficient difficulties to challenge and occupy the philosopher, or scientist of man, without him needing to give consideration to the realm of abstraction – not that he is equipped for that task in any event. Mature or true philosophy has two key objectives: to conduct an empirical analysis of the structure of common life; and to purge it of the effects of false philosophy. In this respect, says Livingstone, Hume's work can be seen as an intellectual tradition which attempts to purge "false philosophy," fanaticism and enthusiasm from the politics of common life, rather than a reactionary position against progressive events or a disposition

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[19] Hume, ***Enquiries concerning Human Understanding and concerning the Principles of Morals***, Edited by L. A. Selby-Bigge, 3rd Ed. Revised by P. H. Nidditch (Oxford: Clarendon Press, 1975)p. 180. See Martin, "Hume as Classical Moralist," p. 334.

[20] Livingstone, ***Hume's Philosophy of Common Life***, p. 3; Hume, ***Treatise***, pp. 263-4.

[21] Hume, ***Enquiries***, p.103.

to avoid change.[22] This can, of course, be seen as a "normalising" practice in itself.

A corollary of Hume's demolition of rationalism is that reason cannot control the passions or be a source of legitimacy for government and it is to a consideration of this that I will turn shortly. First, however, it is necessary to clarify Hume's understandings of the self and its relationship with society.

The Ambivalence of the Hum(e)an Self

Hume displays a curious ambivalence towards the composition of human nature. On the one hand he tells us that the self is no more than a series: a "connected succession of perceptions"[23] and that nature is both inconstant and essentially changeable:[24]

> *I may venture to affirm of the rest of mankind, that they are nothing but a bundle or collection of different perceptions which succeed each other with an inconceivable rapidity, and are in a perpetual flux and movement...The mind is a kind of theatre, where several perceptions successively make their appearance; pass, re-pass, glide away, and mingle in an infinite variety of postures and situations...*[25]

As a result, human nature lacks inherent unity and is too inconstant and irregular to focus purely on any one passion. Instead, there is a constant struggle that takes place between the passions, the effects of which are simultaneously enabling and dangerous. The absence of an inherent cohesive personal identity and the ensuing contest between the passions is productive in the sense that it serves to diversify life and create difference, making "men so different not only from each other, but also from

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[22] Livingstone, ***Hume's Philosophy of Common Life***, p. 8.
[23] Hume, ***Treatise***, pp. 252-3.
[24] ***Ibid***, p. 283.
[25] ***Ibid***, pp. 252-3.

themselves in different times." Yet, at the same time, it is a potentially dangerous state of affairs and one which requires artificial modes for rendering the disruptive passions governable and thus more benign. Indeed, the events in the war between the passions are so complex that philosophy can only account for a few of the most obvious examples.[26] On the other hand, however, Hume claims both nature and the self to be relatively predictable. This to the extent that, in some moods, he declares men to be so similar throughout time that history can tell us nothing new in regard to their composition:

> *Mankind are so much the same, in all times and places, that history informs us of nothing new or strange in this particular.*[27]

How, then, are these ambiguous interpretations of self to be resolved? Essentially Hume does this by using relational concepts, most particularly the principles of association and sympathy; and by positing the existence of natural human dispositions. As discussed in Chapter Three, Hume's analysis was part of the contemporary effort to formulate a "moral Newtonianism," and he relied substantially on Hartley's notion of the "association of ideas" to bring order to the "connected succession of perceptions" that made up the self, and the diversity of beings and interests that composed society. Indeed, Hume was convinced that the principle of association offered an experimental clue to the science of both man and society. By applying the experimental technique to the principles of human nature he sought to show the important role played by the regular activity of the association of ideas, which was Hume's definition of the "imagination," in determining social, legal, political and ethical rules.

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[26] ***Ibid***, p. 438.
[27] Hume, ***Enquiries***, p. 83.

The application of the experimental method to morals and politics was concerned with an attempt to provide new foundations designed for an increasingly secular, empirical, post-revolutionary age. The "new sciences of man and society"[28] were beginning to be seen as relevant to the interests and circumstances of a modern, civilised, increasingly secular, commercial society, that was informed by scientific methods. In this form of polity the ideal character types were Shaftesbury's "men of moderation,"[29] individuals who recognised their interdependence and unity in society. While such men possessed a moral sense, this was not for Hume the result of divine implantation. It derived, instead, from a mixture of psychological and sociological factors, most particularly, through the interaction of self-interest and sympathy - the instinctive tendency human beings have to share the feelings of others, especially those of family, friends and close acquaintances.

The natural disposition of sympathy plays a very important role in Hume's understandings of self and society and in the constitution of ethical judgements. Sympathy is a powerful force upon which our sense of beauty and our "sentiment of morals in all the artificial virtues" depend. The principle of sympathy is able to affect our sentiments, exciting certain feelings, such as pity or terror, and this enables individuals to relate to one another. It is through sympathy that individuals are able to escape from separateness or solipsism. While the passion of another cannot immediately imprint itself on one's own mind, sympathy enables us to relate to the joy or sorrow of others and also to resolve ethical judgements into sentiments of

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[28] Hume classified these "new sciences" as Logic, Morals, Criticism and Politics. See ***Treatise***, p. xv-xvii.

approval or disapproval.[30] Indeed, it is because of sympathy that human beings experience such emotions as patriotism and national pride.

> *No quality of human nature is more remarkable, both in itself and in its consequences, than that propensity we have to sympathize with others, and to receive by communication their inclinations and sentiments, however different from, or even contrary to our own...To this principle we ought to ascribe the great uniformity we may observe in the humours and turn of thinking of those of the same nation; and 'tis much more probable, that this resemblance arises from sympathy, than from any influence of the soil and climate, which tho' they continue invariably the same, are not able to preserve the character of a nation the same for a century together.*[31]

In other words, the natural sentiment of sympathy is vital to forming the artificial virtues. We make judgements about personal merit based on qualities which are generally useful or agreeable to oneself and others. These form standards for behaviour, which are applied at the level of both the individual and society as a means for bringing about restraint of the turbulent passions and redirecting them towards the public good.

Hume's conclusion that human nature is relatively predictable flows from his (proto-Kantian) proposition that, despite being a collection of perceptions, the human mind has been endowed with certain organs, humours and dispositions which work towards the constitution of self, enable communication and sociability and introduce a degree of unity into the "bundle-man."[32] While composed only of a bundle of perceptions, human beings possess certain commonly held dispositions, which enable them to

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[29] Shaftesbury, ***Characteristics of Men, Manners, Opinions Times, etc.*** 2 Vols., Edited by J. M Robertson (Gloucester Mass: Peter Smith, 1963) Vol. I, p.115. See also Forbes, ***Hume's Philosophical Politics***, p.91.

[30] J. L. Mackie, ***Hume's Moral Theory*** (London: Routledge & Kegan Paul, 1980)p. 31. See Hume, ***Treatise***, pp. 575-77.

[31] Hume, ***Treatise***, pp. 316-7.

[32] See Ernest Gellner, ***The Psychoanalytic Movement: The Cunning of Unreason***, 2nd Ed. (London: Fontana, 1993) p. 14 for reference to the idea of the "bundle-man."

recognise the passions and principles of others as those parallel within themselves. In the same way that the structure and composition of bodies is generally the same, despite marked differences in shape and size, so it is with the "fabric of the mind." There is a "remarkable resemblance, which preserves itself amidst all their variety; and this resemblance must very much contribute to make us enter into the sentiments of others, and embrace them with facility and pleasure."[33] Hume is in fact suggesting that the passions would not arise unless human beings possessed the corresponding disposition of mind to relate to them. For instance, hunger may arise internally without the concurrence of external objects, but appetite or taste is tempted by such entities. He is also convinced that we would be unable to communicate were it not for the fact that the faculties of the human mind were generally alike.

It is through the operation of these dispositions, in conjunction with the principle of association, that the self is constituted. The human dispositions naturally give rise to the impression or emotion of pride, which, through a complex process, that Hume calls the "double relation of ideas," inevitably produces the idea of self. That is, the emotion of pride produces the self and the self (qualities of mind and body) produces the emotion or passion of pride. There are, however, many external objects which also contribute towards the process of self-formation, for it is not a solitary process and pride definitely requires the assistance of those objects and entities within the external world, which operate rather like mirrors.[34] In other words, identity and selfhood are constituted through a series of relations or associations:

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[33] Hume, ***Treatise***, p. 318.
[34] ***Ibid***, pp. 286-7.

with one's own body and dispositions and through one's relationship to the world, to worldly objects and to others. That relation to the self which most commonly produces the passion of pride, says Hume, is property, upon which justice and the institutions of government are founded. Thus, for Hume, these institutions have a natural foundation in the passions of men and are not based on natural conscience or divine implantation.[35]

By suggesting the natural correlation of dispositions and emotions that introduces a certain regularity and uniformity into the multiplicity of the "bundle-man," Hume makes it possible to speak of such a thing as a "science of man." Here we witness Hume's optimism. Through empirical and historical analysis such a science can, he hopes, help to discover the constant principle of human nature by showing men in all their variety of circumstances and situations and providing data from which we can conclude the "regular springs of human action and behavior."[36] Yet, this optimism is frequently tempered by an overriding ambivalence. For, while there is a certain regularity of human conduct and it is possible to understand, through empirical observation, human actions as uniform in many respects, we cannot adhere to this view with a high degree of certainty. This is because we need to make allowances for diversity and differences of character, prejudice and opinion, which the same observation shows not to be uniform in every respect.[37]

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[35] *Ibid*, pp. 309-310.
[36] Hume, *Enquiries*, p.83.
[37] *Ibid*, p.85.

While it may be inferred from this apparent inconstancy of human actions that human conduct is not uniform, regular or certain, Hume offers the argument that the actions of men should be judged on the basis of the same maxims used in reasoning about external objects. In other words, the union between motives and actions in human conduct has the same constancy, probability and predictability as that of natural operations. Just as there is regularity in other aspects of nature, such as the seasons, so there is in human conduct and this allows a certain predictability of behavior. But part of this regularity is a degree of inconstancy and irregularity that must be taken into account, because the mind is incapable of attaining certainty. Just as there can be no certainty in nature, nor can there be any in human affairs – the best we can have is probability, possibility and practice:

> *we know, in general, that the characters of men are to a certain degree, inconstant and irregular. This is in a manner, the constant character of human nature; though it be applicable, in a more particular manner, to some persons who have no fixed rule for their conduct, but proceed in a continued course of caprice and inconstancy. The internal principles and motives may operate in a uniform manner, notwithstanding these seeming irregularities; in the same manner as the winds, rain, clouds, ...are supposed to be governed by steady principles, though not easily discoverable by human sagacity and enquiry.*[38]

As both philosophers and physicians can attest, the human body is a "mighty complicated machine" in which lurk many "secret powers" which are "altogether beyond our comprehension." Indeed, the doctor is not surprised when his medicine fails to effect a cure or when irregular events occur within the body. Yet, despite these irregularities, this does not lead physicians to deny in general "the necessity and uniformity of those principles by which the animal economy is conducted," and seeming irregularity is not in itself sufficient proof that certain laws do not govern the internal operations of the

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[38] *Ibid*, p. 88.

body.[39] Thus, says Hume, there are always some actions that do not conform to "known motives" and are exceptions "to all the measures of conduct that have ever been established for the government of men."[40] In other words, some conditions cannot be cured. The best treatment that can be offered in these instances is palliation.

In general we can say that Hume was ambivalent in regard to the composition of human nature. On the one hand, he saw the self as a fractured and multiple bundle of passions and interests, which implies that human behaviour is unpredictable and idiosyncratic. Yet, on the other hand, he posits a degree of uniformity in the humours and dispositions of the mind, which impart a certain level of reliability and regularity to human actions. The associative principle of sympathy is also crucial in this respect. We can now move from Hume's ambivalent stance on human nature to discuss his equally ambivalent views on society.

Society: Association, Interest and the Herding Principle

Just as the principles of association and sympathy form the basis for explaining (at least partially) how unity is introduced into the "bundle-man," so they explain how apparently discrete beings are able to form communities and societies. Hume rejects any notion of society as a collection of rational autonomous ethical units. For him society can mean no more than human beings who depend on each other, and he follows Shaftesbury in tracing its origin to the "herding principle" or "associating inclination." Similarly, the disposition of sympathy helps explain how individuals, whose

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[39] *Ibid*, p.87.
[40] *Ibid*, p.86.

experience is confined to their own feelings, manage to acquire such an interest in the feelings of others as to form a society.

Society is advantageous in terms of providing force, ability and security. It increases the power of individuals and so remedies the inconveniences that attend a lifestyle based on self-sufficiency. Such a way of life is far too uncertain, demanding, inefficient and generally uncivilised. It dissipates energy, is immensely time consuming and leaves little time for anything else. By increasing the power of individuals through a conjunction of forces, society remedies these inconveniences, increasing abilities in specialisation through the division of labour and providing security against fortune and accidents. While selfishness can threaten the conjunction of individuals, Hume did not consider human beings to be in general completely selfish. It is simply that people have an overriding need to protect their possessions "...on the same footing with the fix'd and constant advantages of the mind and body."[41] The more sophisticated a society becomes, the more important is this need for a social state that enables people to accrue a great many more goods and assets than could ever be acquired in an uncivilised environment. It is only through convention entered into by all members of society that it is possible to bestow stability on the possession and transmission of external goods acquired by industry or fortune and so leave everyone in the peaceful enjoyment of these.

[41] Hume, *Treatise*, p. 489.

In short, Hume suggests there is a universal propensity for men to seek society because it is necessary for their well being. The peace and security of human society are preserved through certain laws or rules of "nature" which govern property: stability of possession, transference by consent, and the performance of promises. These rules are vital supports for society and where they are neglected it is not possible to establish a "good correspondence among men."

In fact, men tend to become so mutually dependent in society that there are ultimately very few actions which can be seen as discrete in themselves. Acts are always relational and have reference to the actions of others. The relational nature of society leads Hume to reject what he calls "The Fantastical System of Liberty:" that is, liberty understood as complete freedom. Liberty cannot mean that actions are unconnected with motive, inclinations and circumstance – there are no such completely free actions. All actions have some degree of regularity and uniformity and in this sense are necessary and unfree:

> *By liberty then we can only mean a power of acting or not acting, according to the determinations of the will; that is, if we choose to remain at rest, we may; if we choose to move, we also may. Now this hypothetical liberty is universally allowed to belong to everyone who is not a prisoner and in chains.*[42]

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[42] Hume, ***Enquiries***, p. 95. Hume posits three main reasons for the prevalence of the doctrine of liberty in Western thought. First, liberty has been understood as indifference, that is complete impartiality and complete self-movement. We are unwilling to believe that we are governed by necessity because this seems to imply force, violence and constraint. This is because indifference has been confused with the notion of spontaneity which is in fact the only "species of liberty" Hume is keen to preserve. Second, we like to feel that our actions are motivated by our independent will, which is mostly subject to nothing. In this we are deluded, says Hume: we may imagine we feel at liberty but in fact we can never free ourselves from the bonds of necessity which take the form of relations, attraction and association. The third understanding of liberty has commonly proceeded from religion in the form of the doctrine of free will, which has been essential to explain the problem of evil. See Hume, ***Treatise***, pp.407-9.

In practical and political terms, however, Hume ultimately seems to accept a basically Lockean view of liberty, understood as the security of the individual under the rule of law, which for him is justice in the broader sense.

Having seen how Hume relies on the principle of association to account for how a degree of order is brought to both self and society we can move on to consider in more detail his specific prescriptions for governing conduct and legitimating government.

Reason Demolished: Controlling the Passions and Legitimating Government

The Problem of Governing the Passions

As we have seen, Hume understood the human self as a bundle or collection of agonistic passions, which has no innate governing mechanism. Ordering of the passions is thus only possible through immanent and contingent forces and practices invented by men specifically for this purpose.

Hume understood the passions as violent and sensible emotions of the mind, which possess an original existence, responding to objects and which by the original formation of our faculties serve to stimulate appetites, both good and evil.[43] Mixed in various ways, the passions are and always have been "the source of all the actions and enterprises, which have ever been observed among mankind."[44] As such they contain no representative quality. For instance, says Hume, when I am angry I am possessed with the passion, in

[43] Hume, *Treatise*, p. 415.
[44] Hume, *Enquiries*, p. 83.

the same way that I am "thirsty, or sick or more than five foot high."[45] While the powerful or violent passions are extremely dangerous, they are vital to progress and civilisation because they are active and, once tamed, important motivators to productive work. "When we wou'd govern a man, and push him to any action, 'twill commonly be better policy to work upon the violent than the calm passions."[46] The problem is how to tame these violent passions.

Hume rejected reason as the answer. In his view, rationalist philosophers like Cudworth, Clarke and Wollaston had erred in thinking that reason could control the passions, for it can "never be the source of so active a principle as conscience or a sense of morals."[47] In other words, reason does not have the capacity to tame the unruly passions and harness them to the civilising project:

> *We speak not strictly and philosophically when we talk of the combat of passion and of reason. Reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them.*[48]

Because the passions possess an original existence and reason is only derivative, the two can never oppose each other or "dispute for the government of the will and actions."[49] Passions cannot be opposed by reason as they have no reference to reason and nothing can be contrary to truth or reason if it has no reference to it.

> *Nothing can oppose or retard the impulse of passion, but a contrary impulse; and if this contrary impulse ever arises from reason, that latter faculty must have an original influence on the will, and must be able to*

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[45] Hume, ***Treatise***, p. 415.
[46] ***Ibid***, p. 419.
[47] ***Ibid***, p.458.
[48] ***Ibid***, p. 415.
[49] ***Ibid***, p.416.

> *cause, as well as hinder any action of volition. But if reason has no original influence, 'tis impossible it can withstand any principle, which has such an efficacy...* [50]

In other words, as a derivative and therefore weak affection that operates more calmly than the passions, reason does not have the force to stimulate or disturb the temper. Thus Hume concludes it is incapable of controlling or taming the violent or disruptive passions. If this is the case, then how can they be controlled?

Hume provides a cursory answer to the problem: only the passions can control themselves because they are original impressions. Importantly, he distinguishes between violent and calm passions so that, for instance, a calm passion, such as prudence, can, he thinks, overcome and thus show itself to be stronger than a violent one, such as lust. In other words, the calm passions can be employed to control the violent ones so that what we call strength of mind is in fact, the "prevalence of the calm passions over the violent."[51] The causes and effects of these violent and calm passions are variable and to a large degree dependent on the temperament and character of individuals. Indeed, the calm passions can be transformed into violent ones through changes in temper, circumstance, situation, or through custom and the imagination:

> *Nothing is more vigilant and inventive than our passions and nothing is more obvious than the convention for the observance of these rules. Nature has, therefore, trusted this affair entirely to the conduct of men, and has not plac'd in the mind any peculiar original principles, to determine us to a set of actions, into which the other principles of our frame and constitution were sufficient to lead us.*[52]

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[50] ***Ibid,*** p.415.
[51] ***Ibid,*** p.418.
[52] ***Ibid,*** p. 526.

Just what sort of epistemological framework could embrace the notion of self-governing passions? This presented a problem for Hume, which we will now examine.

Having rejected religion and reason as effective governing mechanisms, Hume also dismissed the theory of psychological egoism. He did not see human beings as purely self-interested, as did Hobbes. While a key component of human nature, self-interest is but one facet. Neither did he think them naturally quarrelsome, as did Ferguson.[53] Indeed, he sought to bypass the question of the essential goodness or wickedness of human nature, generally situating men between two extremes – neither wholly benevolent nor wholly selfish. Yet, Hume shared Cumberland's and Shaftesbury's view that human nature is basically benign and agreed with Hutcheson that human beings have a genuine capacity for benevolence, friendship and generosity which he thought were as deeply rooted in human nature as selfish impulses. Nevertheless, he was ambivalent about how far-reaching benevolence was as a means of governing conduct.

While Hume conceded that the moral sentiments had some role in regulating conduct, he considered their capacity in this regard to be limited. On their own the moral sentiments are not sufficient for such a difficult task, and other instruments of government and technologies of self are required. Within the corpus of Hume's work it is possible to identify a number of modes, institutions and techniques which he thought could serve, at least partially, to govern the passions as they manifest in both self and society and

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[53] See Adam Ferguson, *An Essay on the History of Civil Society (1767)*, Ed. Duncan Forbes (Edinburgh: Edinburgh University Press, 1966).

to harness them towards the civilising process. It can be argued that civilisation was the telos of Hume's work, in the sense that it constituted an immanent and limited goal of life in society which had the dual objectives of curbing excess and enhancing refinement, thereby promoting industry, prosperity and ultimately happiness. These instruments and technologies can be said to include custom, habit and education, which have great force in molding the human mind from childhood and forming it into a "fixed and established character;"[54] the institutions of government and rule of law; and the artificial virtues of justice and allegiance, which derive their authority from self-interest, habit, convention and utility. Commerce is also important in regulating self-conduct and the relations between strangers.[55] This is further facilitated through rules of etiquette and good behaviour, which regulate human interactions in the exchange of goods and ideas; the cultivation of character and reputation; and the constant surveillance of one's own conduct.

Legitimating Government and Inventing Obedience

Just as he considered reason too weak to govern the agonistic passions of man, so Hume thought it too insipid as a source of legitimacy for government. Thus he rejected any idea of society as a creature of art or an invention and eschewed the notion that the legitimacy of government and political allegiance are grounded in any form of rational construct, such as a contract or promise. Society is not the result of an historical, founding act, either a covenant, contract or promise, but a process that develops from the

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[54] Hume, ***Enquiries***, p.86.
[55] Hume, ***Treatise***, pp. 521-22.

tension between self-interest, the social feelings of sympathy located in the sentiments, and education, custom and convention.

Where contract philosophers go to the laws of nature to ground obligation, Hume sought to show that these "laws of nature" are invented by man out of necessity and self-interest. Prior to the development of some form of government, society comprised tribes, families and clans. As possessions, property and riches increased, so society developed to the point where governmental institutions became necessary to ensure their protection and men realised they needed society in order to satisfy their passions. As society expanded and men extended their dealings and intercourse with each other, they recognised the need for rules to regulate their practices and render their commerce safe and commodious. Thus, wherever men meet for social intercourse rules emerge spontaneously. In short, there can be no such thing as promises or contracts outside social relations.[56] In this sense, then, Hume sees basic social rules and laws as spontaneous products of our passions and self-interest. They emerge over time to meet growing social needs and as such are the work of a naturally "inventive species" with passions and interests. Because interests are expressions of irreducible private passions - the original forces motivating human behaviour - they cannot be either true or false, or conformable or contrary to reason.[57] As such they are irreducible principles of personal choice, which, unlike rights, are unconditionally private and cannot be relinquished, transferred, exchanged or surrendered.

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[56] See also "The Stoic" in ***Essays, Moral, Political, and Literary***, pp.140-9 in which Hume explains the difficulty of accounting for the beginning of the civilising process.
[57] Hume, ***Treatise***, p. 415.

> *Whatever restraint they* [the rules] *may impose on the passions of men, they are the real offspring of those passions, and are only a more artful and more refin'd way of satisfying them.*[58]

While interest may be a sufficient motive to obey when society is first formed, as it becomes more complex so this motivation becomes more remote. Thus there is a need to invent rules and duties to combat this eventuality. To this extent, then, justice and morality have a social evolution.[59] What begins as a convention that flows from utility, gradually begins to acquire moral force so that the violation of the rules, especially those governing property, comes to be seen as morally reprehensible.[60] In other words, the virtues of justice and obligation to obey rules only emerge after the rules have been established and flows from the natural interest men have in abiding by them. In this respect the performance of promises is an effect of the institution of government and not the grounding principle. Thus a doctrine which seeks to found lawful government on an original contract or consent is paradoxical to common practice and sentiments.[61]

It is through a sense of common interest that members of society are induced to regulate their conduct and not because of a promise. Although Hume does not deny the possibility that there may have been some sort of covenant or agreement at some stage in the distant past, he does deny that it would be legitimised through reason. Reason alone is far too weak as a motivating force, nor is a promise strong enough to move the sentiments. Basically, says Hume, men will not obey because they have promised to do

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[58] ***Ibid***, p.526.
[59] Forbes, ***Hume's Philosophical Politics***, pp. 77-79.
[60] On this see Dana Chabot, "At Odds with Themselves: David Hume's Skeptical Citizens," ***Polity*** XXIX (3, Spring, 1997) : 329.
[61] Hume, "Of the Original Contract," p. 465.

so. Promises can have no force prior to human conventions and are human inventions founded purely on the necessities and interests of society.[62]

Just as government cannot be legitimised through a promise or contract, so political obligation cannot be collapsed into the performance of contracts. Obedience to government is not an effect of the obligation of a promise or an oath. The duty of civic obedience and the duty to keep agreements are very different and the one cannot be derived from the other. While both forms of obligation – allegiance and contract - derive from the same source, the need for a stable ordered society where property is protected and goods exchanged peaceably, the two have entirely distinct purposes. The purpose of political allegiance is to preserve order, stability and security while the sanctity of contract is dedicated principally towards the creation of mutual trust between private persons. It is government that upholds contracts and ensures the performance of promises. Obedience to the magistrate is required to preserve social order while performance of promises is required to beget mutual trust and confidence in the common offices of life. Because the ends and means of each are distinct, one cannot be subordinate to the other.[63] In this sense, then, Hume strips the promise of elements of the oath, transforming it into a transactional concept, which is useful for the smooth operation of commercial relations. Nevertheless, like Mandeville, Hume sees honour playing an important role in contractual relationships. According to Hume, the obligation to obedience and the preservation of order and protection of property are as much a part of "human nature," as any other motive. It is partly through the motive of self-interest that human beings feel such obligations, and partly through habit enforced by education.

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[62] Hume, ***Treatise***, p. 519.
[63] ***Ibid***, pp. 543-4.

Because the feeling of loyalty or allegiance to government is as common a human motive as any feeling about the keeping of agreements or promises, only a minimal amount of work on the self is necessary to bring such feelings to the foreground.

As a form of palliation for the incurable weaknesses and frailties of human beings, government is founded on opinion rather than force and contract:

> *Nothing appears more surprising to those who consider human affairs with a philosophical eye, than the easiness with which the many are governed by the few; and the implicit submission, with which men resign their own sentiments and passions to those of their rulers. When we inquire by what means this wonder is affected, we shall find, that, as force is always on the side of the governed, the governors have nothing to support them but opinion.* [64]

Hume identified two types of opinion: interest and right. Opinion of interest refers to the general advantage that is reaped from government, while opinion of right can refer to a right to power, that is a hereditary right, and a right to property. While Hume rejected Locke's approach in making property the foundation of all government, he acknowledged that the opinion of right to property was a very influential principle of government. Indeed, as we shall see, he considered it one of the key underpinnings of justice. Thus for Hume all legitimate governments are founded on these three forms of opinion: interest, hereditary and property rights and in this way the authority of the few over the many is grounded. While there are other secondary principles, such as self-interest, fear and affection, which may enhance or add force to these primary principles, they are in themselves insufficient as foundations upon which government of the many

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[64] Hume, "Of the First Principles of Government," in ***Essays, Moral, Political and Literary***, p.27.

by the few can be legitimately secured.[65] In other words, the role of society is to provide a basis of opinion upon which governments are founded. Generally this opinion is not a positive social force but a negative check on government so that in the last resort the people can unmake a government but they cannot make one. It was this view which had the effect of providing a respectable intellectual foundation for the Revolution Settlement, which neither the theories of contract or passive obedience were able to offer.

In summary, Hume shows that civil duties are connected with natural duties in that the former are invented mainly for the sake of the latter. He also shows that the principal object of government is to constrain men to observe certain rules in order to ensure stability, security, the protection of property and to render commercial relations commodious.

Hume's dismissal of religion, reason, absolutism, benevolence and psychological egoism as either incapable or insufficient to the task of governing conduct, leaves him with the problem of accounting for just how the ordering of selves is brought about and how social stability is to be promoted. While Hume recognises the need for a generally reliable set of rules by which to live, he admits that there can be no final solution or ultimate foolproof cure-all for the weaknesses that plague humanity and the maladies that inevitably arise in a social state. The best that can be done is to prescribe a series of palliative measures designed to alleviate as much human suffering as possible.

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[65] *Ibid*, p. 28.

What then were those palliative remedies Hume thought would be most effective for the difficult task of schooling the human passions and directing them towards the public good, thereby promoting stability, prosperity and happiness?

Palliative Measures for Governing Conduct

Essentially Hume identified these palliative measures as custom, habit and convention, bolstered by education; the social fictions or artificial virtues of justice and political allegiance; the institutions of government and the rule of law; commerce and the notion of economic progress; and the rules of etiquette which were part of a political culture of character and polite style that involved the constant surveillance of one's own conduct and that of others.

1. Custom and Convention

In many instances, says Hume; the force of custom, habit and repetition alone is sufficient to tame the violent passions. Indeed, operating in tandem these seem to have perhaps the greatest effect in both increasing and diminishing the passions. It is only through custom, the "great guide of human life," that we can know the world. Custom has original and direct effects on the mind and there is a certain pleasure to be derived from the sense of order created through repetition, which is different to the pleasure or pain that results from novelty. Even painful effects can be converted to pleasure through orderly motion, for once something has become a settled principle of action and is the "predominant inclination of the soul" it is less likely to agitate. In short human beings have a natural affinity to appreciate order and derive a great deal of pleasure from the security that attends

predictability, although extreme repetition can be painful if it leads to boredom.[66]

> *Such is the effect of custom, that it not only reconciles us to any thing we have long enjoy'd, but even gives us an affection for it, and makes us prefer it to other objects, which may be more valuable, but are less known to us.*[67]

Perhaps one of the most important concepts in Hume's philosophy is that of convention, which is something arrived at over time as the unintended consequence of man's involvement in the world and with other people, rather than something achieved through conscious agreement.[68] In this context, Hume suggested that social institutions could be understood as resting on an unspoken convention. This can be likened to the rowers in a boat who combine their efforts for a common end, so that the obligation to justice is like the obligation members of a crew have to keep time:

> *Two men, who pull the oars of a boat, do it by an agreement or convention, tho' they have never given promises to each other.*[69]

2. Social Fictions and Artificial Virtues

It is through the force of habit, custom and utility that social artifices such as justice derive their authority and upon which human beings rely psychologically to make sense of the world. Hume's theory of social artifice recognises the cultural component of human life, reason and morality as grounded in the naturally inventive capacities of human beings. This is because human beings are a spontaneously co-operative, passionate and intelligent species with the capacity to invent certain "natural artifices" which

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[66] Hume, ***Treatise***, pp. 422-24.
[67] ***Ibid***, p.503.
[68] Livingstone, ***Hume's Philosophy of Common Life***, p. 4.
[69] Hume, ***Treatise***, p. 490. See also Mackie, ***Hume's Moral Theory***, p. 31.

allow them to extend and transform their powers of cooperation, creation, self-fulfilment and expression.[70]

For Hume, virtues and indeed vices are contingent, depending for their veracity largely on the mood of the time. Thus, moral sentiments can change, so what may seem beneficial at one time may in other circumstances seem like a vice. At one stage, for example, luxury, refinement and convenience were seen as signs and sources of corruption in government and thus vices. But, since thinkers such as Mandeville and Hume himself, sought to show that these were in fact the source of great social benefit, they were increasingly accepted as advantageous. In a polity oriented towards commercialism and materialism, such values and sentiments were seen as tending to increase industry and civility and, in Hume's words, to regulate anew our moral and political sentiments by presenting "as laudable or innocent" that which had formerly been seen as "pernicious."[71]

The most important of the artificial virtues is justice, which, says Hume, is derived through human conventions and self-interest.[72] While there is no natural motive to perform acts of justice and no natural inclination to be just, human beings invent justice in order to facilitate a peaceful way of life. Essentially, justice is a set of basic rules concerning property; the distribution and protection of scarce goods; political obligation; and the regulation of conduct, particularly in regard to the exchange of goods and ideas. In an

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[70] Annette Baier, "Hume's Account of Social Artifice – Its Origins and Originality," ***Ethics*** 98 (July, 1988): 757-778.

[71] Hume, ***Enquiries***, p.181.

[72] See Hume, ***Treatise***, pp. 484-for Chapter on the "Origin of Justice & Property." In this sense, Hume's understanding of justice is very different to that of Rawls but perhaps has some affinities with Communitarian understandings.

imaginary state of nature, therefore, there could be no such thing as justice because private property would be non-existent. Thus, says Hume, justice is not natural in the sense that it is innate or pre-social, but because it derives from man's "inventive" nature and arises from the need to protect one's possessions.[73] Despite their artificiality, the rules of justice are not arbitrary, claims Hume, because they flow from natural human instincts and original principles without the intervention of thought or reflection.[74] Because property is generally established through a slow evolutionary process rather than through a single event, the rules of property must be understood as arising gradually from a sense of common interest and necessity. As such they are not particularly rational and cannot involve, in the first instance, an exchange of promises because contracts are only possible once a dominion over things has been established.

Hume argues that justice can, in a sense, be understood as a set of "natural laws." This is not because the rules derive from nature - for they develop artificially through education and human conventions – but because they are the work of a naturally inventive species that invents rules by which to live peaceably.[75] In this sense they are spontaneous "natural" products of life in society, arising from the agreement to establish property, the will to preserve it and the need to regulate competition for scarce resources.[76] In other words, says Hume, rules of justice can be called natural laws because they are as old as society and all men have an interest in observing such rules and upholding society. The problem is, says Hume, human beings

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[73] *Ibid*, p.491.
[74] *Ibid*, p. 484.
[75] *Ibid*
[76] *Ibid*, pp.484-5.

frequently mistake these artifices, which are historically and culturally contingent, for universal, necessary truths and realities.

Were it not for a powerful self-interest, which leads us to see the advantages of just institutions, the competition for scarce resources could lead to social breakdown. While Hume sees human beings as generally good natured and not wholly selfish, he recognises that benevolence is not strong enough to regulate competition because such impulses lose their strength in wider society and tend only to extend to the "needs of strangers" when our own interests are not at stake. Even when men do extend concern beyond themselves it is not very far and usually remains within the purview of immediate family, friends and acquaintances. Hence, Hume sees the need to establish governmental institutions to maintain and enforce the social artifice of justice; to cultivate a duty of obedience or allegiance; and to fashion a polite and honourable culture through an emphasis on reputation and good character which is facilitated by rules of etiquette.

3. Palliating the Incurable: The Institutions of Government and the Rule of Law

Hume strongly emphasised the importance of the rule of law and institutions of government in keeping the conduct of men under control, particularly through the administration of justice. Because government is vital to the progress of civilisation and is an active agent in the process, it is necessary for human beings to submit to the institutions of government and law. It is also, says Hume, generally in their self-interest to do so. In this way, self-interest plays an active role in counteracting the passions and helping to achieve some sort of psychological equilibrium, both within the self and society, thereby creating the conditions for a civilised life. In other

words, the violent human passions are checked by necessity in the form of interest.[77]

Society and the invention of government are essential and these simultaneously facilitate and preserve the diversity and uniformity required for a civilised and prosperous commercial society. On the one hand, says Hume, government makes possible all those activities and objects which cause diversity, and thus contribute to commerce, civilisation and refinement. On the other hand, it serves to maintain uniformity in human life, to the extent that national characteristics and feelings of national pride arise. It is through the "care of government" that inconveniences of scale are remedied and large projects and public services, where there is a multiplicity of complex interests involved, are enabled. Thus, says Hume, bridges, canals and roads are built and armies disciplined:

> *Men cannot live without society, and cannot be associated without government. Government makes a distinction of property, and establishes the different ranks of men. This produces industry, traffic, manufactures, law-suits, war, leagues, alliances, voyages, travels...* [78]

Although government is composed of men subject to human infirmities, Hume sees it becoming one of the "finest and most subtle inventions imaginable, a composition, which is, in some measure, exempted from all these infirmities."[79] Government and civil society are thus seen as expedients that emerge as society develops to meet human psychological and material needs. Contrary to the claims of contract theorists, they are not abstract, a-historical entities, the principles of which are discoverable through reason,

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[77] Forbes, ***Hume's Philosophical Politics***, pp. 322-323.
[78] Hume, ***Treatise***, p.402.
[79] ***Ibid***, p.539.

but institutions which commence "more casually and imperfectly,"[80] and have their basis in concrete material utility. As we have already seen, Hume thought man was originally compelled to maintain society from necessity, natural inclination and habit. With his progress he is compelled to engage in the establishment of political society in order to administer justice which is necessary to secure the appropriate conditions – peace and order – to facilitate mutual intercourse. Thus, according to Hume, the vast apparatus of government serves essentially the purpose of distributing justice and maintaining social stability.

While individuals are generally aware of the utility of justice in maintaining peace and order, human beings are perverse creatures and frequently fail to keep to the path of justice.[81] This observation prompts Hume to address what is commonly known as the problem of the knave; that is that in the design of political institutions:

> *every man ought to be supposed a* knave, *and to have no other end, in all his actions, than private interest. By this interest we must govern him, and, by means of it, make him, notwithstanding his insatiable avarice and ambition, co-operate to public good.*[82]

Even if it is not the case in fact that every man is a knave, institutions must be arranged to cater for such a possibility and to protect against the few who do practice knavery. Generally Hume was of the opinion that for the majority of people self-interest is served by the institutions of government and justice, and most tend to accept that "honesty is the best policy." Nevertheless, he acknowledges that this maxim is liable to many

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[80] Hume "Of the Origin of Government," p. 34.
[81] *Ibid*, p. 32.
[82] Hume, "Of the Independence of Parliament," ***Essays, Moral, Political & Literary***, p.37.

exceptions.[83] While he has been accused of naivety in failing to address the implications of the knave, Robert Shaver argues that Hume need not in fact give a convincing answer to the problem of the knave. Even if there are many knaves there cannot be many practicing at any one time. In ***The Sceptic*** Hume presents the case of a knave and concedes that no argument can convince those who lack virtue to be "possessed by virtue." His "philosophy affords no remedy" for such an individual who fails to appreciate the satisfaction and pleasure to be derived from "laudable and humane actions," the "delicate pleasure of disinterested love and friendship," and the "lasting enjoyments of a good name and an established character."[84]

The more pressing problem for Hume is the tendency human beings have to lose their natural interest in abiding by laws and institutions of government as society develops. In extraordinary circumstances, he concedes, individuals may fail to abide by the institutions of government because they believe fraud rather than justice better serve their interest. Usually, however, it occurs because they have been seduced from their important but distant interests of justice by the "allurement of present, though often very frivolous temptations." This, says Hume, is an incurable weakness in human nature and one that no philosophy can finally solve.[85] While men may be induced to obedience in the first instance through a consideration of their own interests, as society develops this (natural) interest in maintaining order becomes more remote and breaches may be more frequent. Moreover, it

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[83] Hume, ***Enquiries***, p.282.
[84] Hume, "The Sceptic," p.166. See also Robert Shaver, "Hume's Self-Interest Requirement," ***Canadian Journal of Philosophy*** 24(1, 1994): 12 and Martin, "Hume As Classical Moralist."
[85] Hume, "Of the Origin of Government," p. 33.

can be observed that in many instances men will act contrary to their interests and this presents a further irresolvable danger for society.

Hume's answer to this dilemma is that individuals should regulate their own conduct through the various mechanisms implicitly spelled out in his work: rules of etiquette, education, cultivating good habits, commercial relations, friendship, loyalty, self-surveillance, reputation and honour. Unfortunately, however, this ability is limited to a few exceptional individuals, for the great majority of men find it difficult if not impossible to regulate their own conduct. In Hume's view the reality is that most men have difficulty in identifying the "expedient" by which to cure themselves of their natural weakness towards selfishness and "lay themselves under the necessity of observing the laws of justice and equity...Men must, therefore, endeavour to palliate what they cannot cure."[86] Hence the need for the vast apparatus of government that includes kings, parliaments, the military and public services, courts, criminal law, lawyers and ministers; palliative measures which all have as their ultimate objective the distribution and administration of justice and the maintenance of social order.

In order to support this palliative apparatus it is also necessary to invent a new duty of obedience. Thus some people (magistrates) who understand the need to uphold the rules, must be instituted to carry out justice through punishment and discipline and to "oblige men, however reluctant, to consult their own real and permanent interests. In a word, obedience is a new duty which must be invented to support that of justice, and the ties of equity must

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[86] *Ibid*

be corroborated by those of allegiance."[87] Yet, when viewed abstractly, there is every reason to suppose that the "factitious duty of obedience" will lay as "feeble a hold of the human mind, as the primitive and natural duty of justice. Peculiar interests and present temptations may overcome the one as well as the other."[88] Nevertheless, despite not being a foolproof remedy against human frailties, Hume sees government as generally the best way of maintaining order in society and is convinced that in the main people respect their duty to the magistrate. So although government is founded on imperfect principles of human nature, as time goes by it tends to become consolidated by habit and men become accustomed to obedience, generally departing from the path of justice only rarely. [89]

In a sense, we can see that Hume is aware of the "normalising" tendencies that reside within governmental techniques and practices.

4. Commerce, Economic Progress and Normalisation

For Hume the passion that had the most potential to be socially destructive, if it went unchecked, was avarice – the insatiable desire to acquire goods and possessions, which, in contemporary parlance, might be termed "rampant consumerism." The degree of difficulty that Hume foresaw in establishing civilised society depended on how the passion of avarice was regulated and the nexus between desire and lack managed. While other passions, such as vanity, love, envy and revenge were either less harmful or easier to restrain, avarice posed a threat to social utility given the general scarcity of goods and resources available. Nature has played a trick on humanity by creating the

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[87] *Ibid*
[88] *Ibid*
[89] *Ibid*, pp.33-4.

human species in such a way that they have many wants and needs but slender means of relieving them.[90]

> *Of all the animals, with which this globe is peopled, there is none towards whom nature seems, at first sight, to have exercis'd more cruelty than towards man, in the numberless wants and necessities, with which she has loaded him, and in the slender means, which she affords to the relieving of these necessities.*[91]

It is only through society that these can be supplied and although wants and needs are multiplied in society human abilities are accordingly improved. Thus human beings become more civilised and happier than they could ever be in a savage and solitary condition.

In other words, it is through the single passion to acquire goods for oneself and one's family and friends that society, government and the instruments of justice are made necessary. Thus avarice is a noble passion in the sense that it gives rise to civilised institutions, yet it is potentially destructive when out of control or when resources and goods are extremely scarce. Here we encounter the firmly economic basis of Hume's thought. For him political obligation is not determined so much by self-preservation, although it is a latent concern, as it is by ideas of property and economy. This economic aspect is evident also in Hume's account of the promise, which becomes a transactional concept, a feigned act of will, necessary to maintaining the relationships of a basically self-interested commercial society, such as the division of labour and the exchange of goods.[92]

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[90] Hume, ***Treatise***, p.484.
[91] ***Ibid***
[92] ***Ibid***, pp. 516-525.

Despite its dangers, the natural human proclivity towards avarice, if correctly managed, is the key to enhancing the strength of the state. Through its exploitation, industry, the arts and trade are developed. While it may be the case, as some argue, that a state is at its greatest when surplus labour is employed in military public service, witness the great military power of Sparta, the ease and convenience of private individuals requires surplus labour to be otherwise employed. Hume's advice to the sovereign, therefore, is not to focus on building military might but to utilise the natural human tendency towards improvement and to harness the passions of his subjects, directing them towards productive labour. "Every thing in the world is purchased by labour; and our passions are the only causes of labour."[93] By directing the passions of ordinary labourers towards the production of commodities and manufactured goods, they will be encouraged to work harder and be more industrious. The greater the rewards, the more the avaricious passion is satisfied, thereby serving to ameliorate any resentment ordinary folk might feel over working hard. Hume thought it unrealistic to expect people to be motivated by the disinterested passion of public good and to work hard merely for this reward. Thus in a modern context he thought it was not possible to live profitably in a military state. It is better, therefore, to "govern men by other passions, and animate them with a spirit of avarice and industry, art and luxury."[94] Such a course of action will, says Hume, have the dual advantages of increasing the power of the state and enhancing the subject's happiness in a way military strength cannot do.[95]

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[93] Hume, "Of Commerce," *Essays, Moral, Political & Literary* , p. 257.
[94] *Ibid,* p. 259.
[95] *Ibid,* p. 256.

Hume recognised that, in a sense, there could be an opposition between a state which seeks to make itself great in military terms and one which is directed towards the happiness and ease of its subjects, such that a sovereign may have to choose which trajectory to pursue. But, in Hume's view, commerce is the key to both state greatness and the happiness of its subjects. Once a nation abounds in manufactures and mechanic arts, this encourages improvements and innovations at all levels of industry. "Thus the greatness of the sovereign, and the happiness of the state, are in a great measure united with regard to trade and manufacturers."[96] In other words, Hume saw the self-proliferating desire for improvement as the key to industry, innovation, national prosperity, civilisation, refinement and order. He thought that by tapping into it the sovereign would increase his own strength as well as that of the state.

Always sceptical of any undue enthusiasm, Hume's emphasis on the positive aspects of avarice is tempered by his recognition that an exclusive focus on commerce, riches and luxury might weaken the military strength of a nation rendering it vulnerable to external threats.[97] Nevertheless, Hume was far less sceptical in regard to the overall effects of commercial civilisation than either Adam Smith or Adam Ferguson, and he is certainly far removed from the unambiguously negative attitudes of those such as Bolingbroke and Swift. Indeed, pursued in moderation, Hume thought avarice and the pursuit of luxury were important in checking the ambition of the sovereign and, in return, the sovereign's ambition served to check luxury, which if

[96] *Ibid,* p. 258.
[97] *Ibid,* p. 251.

pursued to extremes threatened to diminish the martial spirit.[98] Thus, while the rise of commercial society certainly is viewed as offering conditions for the advancement and progress of man, society and civilisation, it evokes a degree of danger in feeding the potentially destructive passion of avarice.

According to Duncan Forbes, Hume's depiction of a society which experiences a general scarcity of material goods as well as a flawed clannishness could be seen as reflecting the situation in early eighteenth-century Scotland, where strong memories of poverty and insecurity lingered and hopes for the future were high. In this context Hume's social and political theory emphasises the importance of economic progress as the foundation for the good life, which is one that is busy and refined.[99] In the essay ***Of Refinement in the Arts*** he argues that the age of refinement is both happy and virtuous. Thus the environment in which industry, sociableness, humanity, knowledge and morality tend to flourish can be equated to the state of affairs in the Scottish Lowlands, which for Hume stood in stark contrast to the savagery, isolation, idleness, ignorance and vice which he associated with the Highlands. In other words, his typology of *vice* and *virtue* mirrors the contrast that existed between the Highlands and Lowlands in eighteenth-century Scotland.[100]

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[98] ***Ibid,*** pp. 253-4.

[99] See Phillipson "Politics and Politeness," pp. 236-7, who argues that the Scots learned the importance of commerce and credit for maintaining a free polity earlier than the English, who only came to realise this as a result of the South Sea Bubble Crisis of 1720.

[100] Forbes, ***Hume's Philosophical Politics,*** pp. 87-88.

While it is generally the case that Hume linked state greatness and the happiness of its subjects with commerce and trade, he was not, as Forbes suggests, unambiguously positive in regard to the likely effects of such an environment.[101] Hume was not convinced that an increase in arts, trade and commerce would necessarily lead to a loss of martial spirit. In fact, he makes the argument that such a refined environment would not diminish courage and might actually breed a superior form of warrior who, though less ferocious, could be more disciplined and, importantly, more honourable.[102]

In any event, Hume was clearly convinced that happiness depended on industry and refinement. In his view greater refinement served to curb excess in all facets of human life. He was particularly keen to curb all forms of religious and political enthusiasm for the less there was of this the greater the stability of society. The more stability, the more industry, trade and prosperity would flourish, further enhancing refinement and increasing the power of the state. In short, despite some reservations, Hume generally favoured the pursuit of economic progress through industry, trade and commerce. He believed this was the key to happiness and the good life without diminishing the power and security of the state. In this context, government has a role to play in securing the conditions for economic

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[101] *Ibid*, p. 87.

[102] Hume, "Of Refinement in the Arts," *Essays, Moral, Political & Literary*, p.271. On the question of whether England relied predominantly on military might or commerce see John Brewer, *The Sinews of Power: War, Money and the English State, 1688-1783* (London: Unwin Hyman, 1989), who describes the Britain that emerged in the late seventeenth and early eighteenth centuries as "the military *Wunderkind* of the age." Under the early Stuarts, he argues, Britain was a puny military figure. But, by the reign of George III it had become a heavyweight in Europe's balance of power. This was due to the acquisition of a large and prodigiously wealthy empire, which contributed to the economic growth, military might and global expansion of Britain. While substantial economic resources were vital to its status as a major power, on their own they were not enough. It was necessary for Britain to deploy its military force in order to secure the domination of trade routes and the protection of its colonies. See pp xiii-xxii.

progress, in advancing society and in providing security and liberty through the rule of law without which progress would be hindered or impossible. Knowledge in the arts of government was vital because it helped facilitate the mildness, moderation and humanity, which Hume saw as the chief characteristics that distinguished an age of civilisation from one of barbarism and ignorance. Thus Hume's vision encompassed the idea of economic progress as a means to the greater good of a civilised society that allows human beings (admittedly, some more than others) to live in a state of refinement where they are able to pursue the pleasures this life has to offer.

5. Civility and Moderation in Government

While Hume acknowledged that all forms of modern government had improved, most notably in terms of maintaining a "balance of power" in foreign relations and in the "internal police of states," he tended to regard civilised monarchy as the best form of government for a commercial society. Nominally, Hume might argue that the form government takes is irrelevant providing it carries out the basic tasks of maintaining peace, liberty, justice, security and the protection of property. Thus absolutism cannot be ruled out as illegitimate, for it is capable of answering these social needs as much as any other form of government. Indeed, time and custom can confer authority on all forms of government, even where they are initially founded on violence or injustice. Yet, Hume was especially keen to demonstrate the advantages of a political condition based on moderation and civility (civilised monarchy) over absolute government, particularly with respect to trade. Absolute government is not conducive to commerce which, he argued, can

only function under conditions of freedom, like those operating in the trading cities of London, Amsterdam and Hamburg.[103]

Experience showed a mixed monarchy to be the most appropriate form of government for a refined, civilised and prosperous commercial society. It was this form of government which, in Hume's eyes, had made the most progress so that it could be said to be "a government of Laws, not of Men," a description formerly reserved for republics. Such governments are superior to other forms in their "gentleness and stability" with "modern education and customs" instilling greater humanity and moderation.[104] They promote a "surprising degree" of "order, method, and constancy" offering security for property, the prince and his subjects whilst encouraging industry and the flourishing of the arts. Hume qualified this latter assertion, for there were, he pointed out, significant exceptions to the notion, previously promulgated by those such as Addison and Shaftesbury, that the arts and sciences tend to flourish only under conditions of "free government." As examples he cites the great works of the Italian Renaissance as well as the highly developed French cultural sense, which he much admired, neither of which occurred under conditions of free government. Indeed, he notes, it is the case that in Britain, arguably the most free government, there has been a tendency to emphasise formal learning in philosophy and science rather than creative and innovative artistic enterprises.[105]

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[103] Hume, "Of Civil Liberty," ***Essays, Moral, Political & Literary,*** pp.82-85.
[104] ***Ibid,*** pp. 88-9.
[105] ***Ibid,*** pp. 84-5.

Absolute government was problematic for Hume not just because of its tendencies towards arbitrariness and the lack of security for private property, as others have argued, but because it was less honourable. In his view, a social ranking based on honour was vital to keeping the passion of avarice in check because it provides something to aspire to which is valued above riches and industry. Such a system encourages merchants and industrialists to behave with honour in commerce because they will be aiming to acquire an honourable title for themselves and maintain their reputations, thus minimising corruption and promoting stability.[106] Of central importance to an honourable style of government is the idea of trust and the practice of keeping one's word.

> *There is nothing, which touches us more nearly than our reputation, and nothing on which our reputation more depends than our conduct, with relation to the property of others. For this reason, every one, who has any regard to his character, or who intends to live on good terms with mankind, must fix an inviolable law to himself, never, by any temptation, to be induc'd to violate those principles, which are essential to a man of probity and honour.*[107]

As Hume saw it, the essential ingredients of civil society were authority, liberty and the cultivation of social virtues, such as justice, obedience and the rules of etiquette. In the interest of government, liberty must be sacrificed to some degree but this does not mean that the authority, which confines liberty, should become absolute and uncontrollable. In all government, says Hume, there is a perpetual struggle, either overt or covert, between authority and liberty, with neither one prevailing absolutely. There is, in other words, an agonism where each serves as a check on the other.[108]

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[106] ***Ibid***, p. 86.
[107] Hume, ***Treatise***, p. 501.
[108] Hume, "Of the Origin of Government," p. 35.

> *In all governments, there is a perpetual intestine struggle, open or secret, between AUTHORITY AND LIBERTY; and neither of them can ever absolutely prevail in the contest. A great sacrifice of liberty must necessarily be made in every government; yet even the authority, which confines liberty, can never, and perhaps ought never, in any constitution, to become quite entire and uncontrollable.*[109]

If a situation arises where this "perpetual intestine struggle" or agonism is displaced by conflict then authority must and will prevail because it is essential to restore the balance of civil society. Liberty, understood in the Lockean sense, however, is the perfection of civil society and must be jealously guarded, for as society can function under conditions of absolutism, there is a tendency to neglect or overlook it, especially given man's tendency towards indolence.[110]

The third key ingredient of civil society is the social virtues, which need to be cultivated especially within the middling ranks of those possessing only ordinary talents and capacities, which makes up the majority of the population. While exalted capacities and qualities, when combined with birth or rank, may make certain men excellent leaders in the good government and useful instruction of mankind, Hume is clear that this is applicable only to a minority of human beings. In the remainder certain qualities need to be cultivated. The quality of benevolence is of particular importance in the successful association of human beings: a benevolent man is useful to society bringing both happiness and satisfaction through his good offices and that which is both beneficial and useful is, says Hume, deserving of high praise.

> *Can anything stronger be said in praise of a profession, such as merchandise or manufacture, than to observe the advantages which it*

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[109] Hume, "Of the Original Contract," p. 465.
[110] Hume, "Of the Origin of Government," p. 36.

> *procures to society; and is not a monk and inquisitor enraged when we treat his order as useless or pernicious to mankind?*[111]

It is to a consideration of the cultivation of character and politeness that we will now turn.

6. Cultivating a Political Culture of Character and Polite Style

It is evident that laws and institutions were vitally important for Hume in governing the conduct of individuals. Nevertheless, like Shaftesbury, Hume saw the need for a distinct political culture that was built on rules of etiquette, honour and civility and focused on the aim of encouraging citizens modelled on the ideal Shaftesburyian character, who was wise, moderate and discerning.

The notion of character is important in Hume's work. It plays a number of roles. Not only do people have characters but so do nations, professions, political parties and human beings as a species.[112] Indeed, Hume's moral theory is based on judgements of character and the ***History of England*** is peppered with a series of character sketches of key historical figures that offer clues to this.[113] A character trait can be defined as any quality that endures long enough to be a continuing cause of action. While not fully reliable, such traits are important as a guide to explaining motives and actions. In fact, they are the best guides available for predicting human

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[111] Hume, ***Enquiries***, p.179.

[112] See "Of National Characters," ***Essays, Moral, Political & Literary,*** pp.194-210; "Of the Parties of Great Britain,"pp.58-68; "Of the Dignity or Meanness of Human Nature,"pp.73-80.

[113] Hume, ***The History of England from the Invasion of Julius Caesar to the Revolution in 1688,*** 10 Vols. (London: J. Wallis, 1803). Of the numerous examples, one can point to the sketch he offers of the character of William the Conqueror in Vol. 1 pp.375-380; and the word portrait of Elizabeth I painted in Vol. 6, pp. 399-402.

behavior. Without a notion of some sort of permanence of character traits that link together actions, no evaluation of human actions or conduct would be possible at all.[114]

> *It seems almost impossible, therefore, to engage either in science or action of any kind without acknowledging the doctrine of necessity, and this inference from motives to voluntary actions, from characters to conduct.*[115]

Because characters flow from the variety and diversity of nature, they are complicated, contingent, and frequently composed of conflictual traits. A consequence of this natural complexity is that moral judgements are complicated and, contrary to the views of Platonists, Utilitarians (and Kantians), there can be no single criterion upon which moral judgements can be grounded. Instead, says Hume, the conflicts between character traits, can be dealt with in two main ways: by learning to live with ambiguity or by inventing artificial virtues such as justice and the rules of etiquette.[116] While Hume exhibits a deal of faith in the positive effects of justice and etiquette in managing conduct, he recognises that the artificial virtues can never be exact. In other words, some degree of ambiguity must be tolerated.

As we have seen, Hume placed a great deal of importance on the capacity of artificial virtues, such as justice, to manage the negative effects that may flow from the exercise of the conflicting qualities of pride and self interest, both at the level of self and society. However, he suggests that another way of solving this agonism between the conflicting characteristics is by constructing the "rules of good breeding" which render our interactions

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[114] Hume, ***Enquiries***, p. 88. See also Richard H. Dees, "Hume on the Characters of Virtue," ***Journal of the History of Philosophy*** 35(1:1997): 48.
[115] Hume, ***Enquiries***, p.90.
[116] Dees, "Hume on the Characters of Virtue," p.45 offers good coverage of this point.

"agreeable and inoffensive"[117] whilst also enabling people to maintain a degree of pride and self-esteem. By constructing rules of etiquette conventions of conduct are created that allow us to steer through the multiple conflicts which can ensue at the level of the self and in our relationships to others. Hence a new set of artificial virtues of good manners is created from the interactions between oneself and others. While the importance of ensuring compliance to the rules of justice is such that we are willing to establish an external force of government to enforce them, etiquette is left to more informal means. Nevertheless, the rules of proper behaviour are vital in facilitating the peaceful exchange of ideas and goods.[118]

The love of fame, for example, is both a great motivator to action and an important self-checking mechanism, given that reputation is highly prized if one wants to make a name for oneself and gain and maintain standing in one's community. Our "regard to a character with others seems to arise only from a care of preserving a character with ourselves..." Indeed, this concern for reputation and standing with others helps form "the most perfect morality."[119] Hence the importance of keeping one's own conduct under constant surveillance.

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[117] Hume, ***Treatise***, p. 597.
[118] ***Ibid***, and Dees, "Hume on the Characters of Virtue," p.53.
[119] Hume, ***Enquiries***, p.276.

> *Another spring of our constitution, that brings a great addition of force to moral sentiment, is the love of fame; which rules, with such uncontrolled authority, in all generous minds, and is often the grand object of all their designs and undertakings. By our continual and earnest pursuit of a character, a name, a reputation in the world, we bring our own deportment and conduct frequently in review, and consider how they appear in the eyes of those who approach and regard us. This constant habit of surveying ourselves, as it were, in reflection, keeps alive all the sentiments of right and wrong, and begets, in noble natures, a certain reverence for themselves as well as others, which is the surest guardian of very virtue.*[120]

There is a great deal to be gained both individually and collectively in molding individuals with the characteristics of honour and justice because such people are more useful to both themselves and others. Thus parents have an interest in properly educating their offspring to respect the institutions of justice and rules of good behaviour.

A public culture, based on reputation, honour and good manners, is instantiated through acculturation processes, education and through a system of public praise and blame, based on the observation that the creation and preservation of one's reputation and character is an important mechanism for regulating conduct. Because our reputation is important we will constantly regulate our own behavior and conduct in order to protect our character. Not only are reputation and good character vital if one is to contribute to and benefit from the relationships of commercial society, but they are of fundamental importance in the formation of well ordered selves.

While the original cause of pride and humility is located in the relationship to self, there is a secondary source in the opinions of others, which are influential in terms of conferring reputation and constructing character.

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[120] *Ibid*

Thus the relationships one has with others are a significant factor in self-formation. Indeed, the causes of pride such as virtue, beauty and riches (the power to procure property) have restricted influence without receiving endorsement through the opinions and sentiments of others. This relation comes about through the remarkable human quality of sympathy and the constant surveillance of one's own conduct and that of others. Human beings, no matter how different they are from each other, have a propensity to sympathise with others and to receive their sentiments and inclinations, approving or otherwise, through communication. They also have the tendency to form judgements about the character and conduct of others. In performing such evaluations Hume recommends the distant and contemplative stance of a "spectator" be adopted. In order to achieve this one is required to effect a "steady and general point of view" and because Hume saw a need for the great majority of people to subject their behaviour to critical analysis, ethical techniques could not be highly idealised. They needed, in other words, to be readily adaptable to the needs and abilities of the plain man and it is the historian rather than God that serves as the model for Hume's spectator.[121] Hume's theory of the spectator can be seen as a precursor to Adam Smith's "impartial spectator," which will be considered in Chapter Six.

7. Politeness as a Normalising Technique of Self

It is possible to discern the normalising tendencies of the culture of politeness, which was promulgated particularly by the moral sense theorists such as Shaftesbury, Hutcheson and Hume. Indeed, Hume seems to have recognised that "normalisation" cannot be avoided in such a culture because,

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[121] Hume, *Treatise*, pp. 581-2 and p. 591.

as he acknowledges, people often have difficulty following their own inclinations without the guidance of authority figures or when they are opposed to those of friends or peers. This can be explained, he says, by the great uniformity that exists in the humours or dispositions of human beings and in the style of national character.[122] It also flows from a general imaginative inertia and the widespread tendency for people to be passive and uncreative. In this condition they tend to uncritically receive their "manners," morals and "national character" from those in authority and the "governing part of the state."[123] Thus, legislators and creative minorities, those few who display outstanding personality characteristics and qualities, have a strong influence on the fashioning of a population's character, both directly through example, and indirectly through the laws and institutions they establish. Such people are not only capable of regulating their own conduct, but are also able to constrain others to a like regularity. Sympathy is another powerful means by which the ethos of a society is facilitated and fashioned because it offers a means through which influences are spread throughout a society like a "contagion" from the government, those in authority and those leaders of fashion, down.[124]

Basil Willey suggests that because he does not ask the question of just who it is that is doing the approving, Hume appears to accept uncritically the values, norms and standards of conduct which were current in his own social milieu.[125] The qualities he most admired were those of benevolence, justice,

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[122] *Ibid.* pp. 316-7. See also Hume, "Of National Characters."
[123] Hume, "Of National Characters."
[124] See Forbes, ***Hume's Philosophical Politics***, pp. 318-9.
[125] Basil Willey, ***The English Moralists*** (London: Chatto & Windus, 1965)p. 253-5. See especially Hume, "Of the Standard of Taste," ***Essays, Moral, Political & Literary,*** pp.221-248.

good manners, loyalty and friendship and he emphasised the virtues of respectability, of standing well with one's neighbours, mutual respect and admiration, all of which were considered important in Hume's time.[126] By privileging these qualities Hume sought to demonstrate that ethical behavior does not require one to lead a cheerless, dismal life of self-denial and he rejects outright the "monkish virtues" of celibacy, penance, mortification, self-denial, humility and solitude. Hans Lottenbach suggests that rather than offering a general explanatory theory of human psychology; Hume can be interpreted as providing a genealogy of a particular type of morality.[127] Unlike Nietzsche, however, Hume's genealogy is positive in that it has a practical purpose of reinforcing the morality it traces. Hume identifies a particular set of "virtues" of which he approves, contrasting them to the "whole train of monkish virtues" which pertain to a religious system of thought and morality wherein they were deemed necessary for attaining the supreme goal of salvation.[128] As such the monkish virtues have been approved in the context of illusions of "religious superstition or philosophical enthusiasm" and have endorsed character traits which appear useless and disagreeable when judged by contemporary standards.[129] Hume's genealogy, by contrast, aimed to uncover and celebrate a set of virtues, which he thought appropriate for a modern secular, commercial and civilised society.

> *Celibacy, fasting, penance, mortification, self-denial, humility, silence, solitude, and the whole train of monkish virtues; for what reason are they everywhere rejected by men of sense, but because they serve to no manner of purpose; neither advance a man's fortune in the world, nor*

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[126] See Hume, ***Treatise***, p. 578.
[127]Hans Lottenbach, "Monkish Virtues, Artificial Lives: On Hume's Genealogy of Morals," ***Canadian Journal of Philosophy***, 26 (3, 1996): 367-388.
[128] Hume, ***Dialogues Concerning Natural Religion***, Part 12.
[129] Hume, ***Enquiries***, p.279.

> *render him a more valuable member of society; neither qualify him for the entertainment of company, nor increase his power of self-enjoyment?* [130]

He thought that if one could show that morality or ethical conduct serves individual self-interest by improving standards of living and the status of individuals within their community, and also contributed to happiness and a good life by enabling human beings to engage in the civilised pleasures of life, this would provide added incentives to be ethical. In other words, Hume sought to present ethical conduct as an attractive option which contributes to greater happiness in a worldly sense, rather than a dismal imperative that is motivated by fear and superstition.[131]

While Hume obviously favoured the cultivation of an appropriate political culture that embodied a polite ethos and promoted the qualities he admired, he seems to be somewhat ambivalent about the precise style of such a culture. For instance, in earlier versions of the essay *Of Eloquence,* Hume appears to lament a decline in liberty that had allegedly occurred under Walpole, and advocate a revival of ancient eloquence in Britain.[132] This can be seen as partially echoing the neo-Romanism of those such as Bolingbroke, Pope, Gay and Swift who called for a return to the original principles of England's "ancient constitution."[133] They pointed to a long tradition, which had its origins in ancient Greece and Rome, that has linked liberty with eloquence and thus the loss of freedom to the decay of eloquence, using this and arguments about the rise of corruption, love of money and luxury to

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[130] *Ibid*,p.270.
[131] *Ibid*
[132] Hume, "Of Eloquence," *Essays, Moral, Political & Literary*, pp. 91-103.
[133] See Isaac Kramnick, ***Bolingbroke and his Circle: The Politics of Nostalgia in the age of Walpole*** (Cambridge Ma: Harvard University Press, 1968) pp. 127-187.

denounce Walpole's regime.[134] Moreover, Hume's criticisms of Walpole were wide ranging. In the essay *Of Public Credit*, for example, he accused Walpole of threatening British liberty through the burden of national debt; and in *Of the Independence of Parliament* he suggests that parliamentary dependency under Walpole had become dangerous to liberty. Nevertheless, it is hard to sustain the view that Hume hankered seriously for a return of the eloquent orator who could fire the passions of the people, for he was seriously committed to the project of promoting a civilised, enlightened and mature public culture, the proof of which was a precise, cool philosophical style of expression that was devoid of the fire of poetic, theistic and political enthusiasm. This overriding concern is reflected not only in the frequency of Hume's ringing endorsements of civilised monarchy, but also in the revisions he made to *Of Eloquence*, possibly in response to the upsurge, during the 1760s, of radical politics, largely inspired by John Wilkes.[135] These revisions subordinated the earlier flavour of neo-Romanism to what Adam Potkay calls the newer "ideology of polite style."[136]

As the culture of etiquette and politeness increased in importance, in terms of character development, it came to surpass the figure of the dissembler,

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[134] For more on the criticisms mounted against Walpole's regime see Quentin Skinner, "The Principles and Practice of Opposition: The Case of Bolingbroke versus Walpole" in McKendrick, ***Historical Perspectives***, pp. 93-128.

[135] See John Brewer, "Commercialization and Politics," in Neil McKendrick, John Brewer & J. H. Plumb (eds) ***The Birth of Consumer Society: The Commercialization of Eighteenth-century England*** (London: Europa Publications, 1982) pp. 197-262; also Brewer, ***Party Ideology and Popular Politics at the Accession of George III*** (Cambridge University Press, 1976) especially Chapter 9.

[136] Adam Potkay, "Classical Eloquence and Polite Style in the Age of Hume," ***Eighteenth Century Studies***, 25(1,1991): 31-57.

which had previously been the key concern for moralists.[137] The growing emphasis on polite style meant that those individuals who could be deemed "rhetorically immature" and unable to control their passions were classified as either vulgar or mad. While the French tended towards the latter categorisation, the British increasingly regarded those whose passions were easily inflamed as "vulgar;" a category that came to refer to those common people of lower rank who constantly exhibited their ignorance and uncouthness through "vulgar" language styles. The style which was most admired and held up as a model worthy of emulation was that of those "plain" and "proper" writers such as Swift and Addison. Indeed, Hume writes:

> *The elegance and propriety of style have been very much neglected among us. We have no dictionary of our language, and scarcely a tolerable grammar. The first polite prose we have was writ by a man who is still alive. [Dr. Swift] As to Sprat, Locke, and even Temple, they knew too little of the rules of art to be esteemed elegant writers. The prose of Bacon, Harrington, and Milton, is altogether stiff and pedantic, though their sense be excellent.*[138]

Potkay suggests that the eighteenth century "ideology" (I prefer culture or character) of politeness was part of an attempt on the part of the gentry and professional classes to consolidate their position in the newly emerging commercial society and differentiate themselves from the lower vulgar classes.[139] It is largely within this context that Hume mounted his critique of those "excessive" figures whose expression is enthusiasm and who flaunt the language of the passions.

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[137] See, for instance, Hume's characterisation of Cicero, contained in "Of Eloquence," p. 99 whom he sees as a tawdry figure rather than a dissembler.
[138] Hume, "Of Civil Liberty," p. 85.
[139] Potkay, "Classical Eloquence & Polite Style," p.56.

Such characters needed to have their fire dampened and were to be stigmatised by a social ethos and set of norms and standards that applauded the ability to restrain one's passions and appreciated this facility in others. In the increasingly complex and mobile commercial society of the mid-eighteenth century, politeness became a new indicator of status, coming to challenge traditional aristocratic prerogatives of birth and land, as what establishes rank and sets "gentlemen" apart from the lower "vulgar" orders.[140] In the essay, *Of Refinement in the Arts*, for instance, Hume argues that the regulated exchanges of urban life have occasioned an "increase of humanity" at least in the upper ranks and if the modern citizen is to demonstrate and preserve his civility he must guard against any undue heat of expression.[141]

We can see, therefore that generally Hume thought that the development of a culture of politeness and refinement would serve to gradually inculcate good habits and thus polish and civilise conduct. Although polite character development began in the upper ranks of society, Hume envisaged that through education and the multiple exchanges that were part of a civilised commercial polity this would become more widespread. In a sense, therefore, we can say, in Foucauldian terms, that Hume recognised the "normalising" tendencies that inhered in a political culture that emphasised polite character development. Indeed, he endorsed these tendencies for it was, he thought, through such technologies of self that the excessive and

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[140] See Brewer, *Party Ideology and Popular Politics*, pp. 163-200 who argues that the need to protect distinct language privileges became imperative given the rise of radicalism in that period.

[141] See Hume, "Of Refinement in the Arts," p. 268.

dangerous passions could be brought to heel and human beings could learn to appreciate the pleasures afforded by moderation.

Conclusion

Despite his philosophical scepticism, Hume recognised that some generally reliable rules are necessary in the interests of convenience and stability. But he was clear that these were not universal truths embedded in nature, dictated by reason or divinely implanted. Rules of conduct are contingent, standard ways of behaving, justified on the basis of experience, fixed by habit and dependent on their continuing utility. The best that can be hoped is that they work reasonably well in palliating the incurable weaknesses of human beings and thus in preserving stability and serving human interests.

Human beings rely psychologically on the social artifices and fictions of justice, allegiance and liberty in order to make sense of the world and bring about a degree of social stability that enables them to live in an ordered and civilised environment. Indeed, the pre-requisite for happiness is a refined, well-ordered self that is capable of enjoying the pleasures of life, which in turn depends on a well-governed and prosperous commercial society. While Hume accepted a basically Lockean view of human freedom, as the freedom of men under government, he rejected any of the traditional legitimating mechanisms put forward by his predecessors. Eschewing any appeal to religion, superstition, reason, psychological egoism and natural benevolence, Hume developed a naturalistic approach which sought to deal with the problem of governing self and society in terms of the physical, sociological and historical conditions in which men live.

This chapter has sought to identify and analyse a number of palliative measures (institutions and technologies of self) which Hume thought could be brought to bear in fashioning characters who were capable of constituting and populating the type of polity which was most conducive to human happiness. These modes of government included custom, convention and education, the artificial virtues of justice and political allegiance, as well as the institutions of government and rule of law. Hume thought the key to the greatness of both the state and its inhabitants was strongly linked to the fate of trade, commerce and industry, more so than military might, and in a sense this is perhaps a less sceptical view than that held by his fellow thinkers of the Scottish Enlightenment. In any event, Hume saw commerce as a catalyst which helped address the problem of regulating conduct; one which necessitated a political culture of politeness and honour, facilitated by rules of etiquette that were based on honour, good character and reputation.

In terms of Hume's legacy there were few who denied his conclusions. Nevertheless, his views were generally perceived to be negative and in the main the resilience of traditional forms of metaphysics, religion and ethics was such that they were able to withstand his de(con)structive analysis. The main response on the part of those who sought to resurrect more traditional approaches was to deny the Humean distinction between reason, fact and value and attempt to synthesise these so that a new logic, which made possible a defence of absolute values, might be constructed.

This was the course pursued firstly by Kant and more completely by Hegel.[142] Thus Hume's assault on reason, natural law and religion provoked an immense backlash which gave rise to a new and more elaborate metaphysics and entrenched belief in absolute ethical values. This backlash against Hume coincided with the conservative response of those such as Edmund Burke to the cataclysmic events of the French Revolution, which tended to concur to a large extent with Hume's views on the danger and intellectual ineptitude of the doctrine of individual rights. Thus this period witnessed the emergence of multiple streams of thought each of which is intricately entwined with liberalism. It can be argued, therefore, that part of the confusion in liberalism occurs at this juncture. In other words, the attempt to shore up the epistemological edifice in the wake of Hume's devastating deconstruction, helped lay the foundations, through Kant, of deontological liberalism, which is the main object of Nietzsche and Foucault's critique. It also provided the grounding for communitarian versions of liberalism through Rousseau, Hegel and Burke. In the context of this project, however, it is the continuation of the Humean trajectory, as it manifested, firstly, through the work of Hume's great friend, Adam Smith, and, more recently, via F. A. Hayek, that is of greater interest.

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[142] Hegel's approach was the most systematic and he drew on many ideas which were abroad towards the end of the eighteenth century: a new literary valuation of sentiment, a revival of folk poetry and a new historical interest in the roots of national culture. There was a new respect for sentiment and feelings of reverence towards the community which glorified the values of custom and tradition which began to be seen as the gradual unfolding of a reason which was implicit in the consciousness of race or nation, rather than the antithesis of reason. These values were seen as a precious heritage to be respected and guarded rather than a burden to be shrugged off. History acquired a new sense as that of a gradual unfolding in the history of a civilisation of the divine mind and purpose.

CHAPTER SIX
Adam Smith
Regulating for Freedom

Introduction

Adam Smith proposed a liberal art of government that was based on interests and passions and had as its objective the creation of wealth and order of the whole through the principles of individuation, specialisation and "natural liberty." He envisaged an art of government based upon a grid of self-regulating exchanges, which operated in the economic sphere, via the notions of spontaneity, self-improvement and mutual co-operation; and in the moral domain, through the principle of sympathy, the desire for self-respect and an ethics of "self-command" and prudence. In this regard perhaps he can be seen as the paradigmatic figure in the emergence of what Foucault called *governmentality;* and in the unfolding story of the liberal art of governing conduct which this dissertation has sought to chart.

In linking politics with society and economics, Smith challenged prevailing systems of authority and he did so across the general terrain of society. He posed the more basic unmediated forces of interest, and (restrained) passion, against the authority of abstract reason and challenged the static, feudal model of political authority through the (natural) liberty of individual enterprise. This was reflected in his concern to make it possible for the mass of humanity to escape the demeaning relations of dependency that characterised the past and to live decent lives. Through his economic analysis, which centred on the principles of competition, natural liberty and specialisation, he offered a critique of those currently existing stagnant, protection-oriented modes and practices of government, which were based

on mercantilism, feudalism and excessive state activity. He did so in order to propose another kind of government and different types of power relations. In the moral and social sphere Smith, like Hume, was concerned with improving the character of human beings. This civilising project led him to investigate the roles played by the state, the family, the law, churches and the market in generating human beings as productive components in the economic system who were capable of regulating their own conduct to a substantial degree. While Smith was not necessarily the "originator" of these challenges,[1] it is in his work that a recognisable liberal "art of government" is articulated. Indeed, Smith's work is widely perceived as marking an important watershed in the history of liberal political thought, representing a decisive moment when a "scientific" conception of a self-regulating social and economic realm assumed dominance over that which was previously seen as an exclusively moral and political domain.[2]

The figure of political and social subjectivity involved in the *Smithian* art of government assumes a curious relationship to government. In as much as prosperity and public order are brought about through individual enterprise the subject of interests and passions is a partner of government. Thus the economic dimension of Smith's thought fits the liberal ideal of self-regulating conduct. Yet, in the social and moral spheres, Smith is markedly ambivalent about the feasibility and, more importantly, the desirability of individuals

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[1] Joseph Schumpeter remarked that ***The Wealth of Nations*** "does not contain a single analytic idea, principle or method that was entirely new in 1776" and that its significance lay in the way it synthesised prior ideas and information. Schumpeter, ***History of Economic Analysis***, ed. Elizabeth Boody Schumpeter (New York: Oxford University Press, 1954) pp. 184-5. As we have seen in previous chapters, a number of thinkers pre-empted Smith in their analyses of society, economic development, division of labour and principles for governing conduct.

[2] See Kenneth Lux, ***Adam Smith's Mistake: How a Moral Philosopher Invented Economics & Ended Morality*** (Boston & London: Shambhala, 1990) who argues that ultimately Smith set in train an overwhelming economic approach to all facets of life, thereby threatening to undermine any other interpretation.

regulating their own conduct. Indeed, in certain areas he sees the need for high levels of government intervention and even compulsion in order to offset what he perceives to be the dangerously debilitating effects of commercial society. In this sense, then, the individual becomes an object of government. This chapter sets out to explore the dimensions of this paradox in Smith's thought. How, we might ask, did Smith's project attempt to reconcile the fact that the individual citizen was at the same time a subject and object of government?

Against the "Spirit of System"

According to Foucault's interpretation, the emergence of a liberal art of government was inherently linked to the new problematic of society and crucial in breaking with government located around "reason of state." Contrary to this reading, however, Adam Smith was not preoccupied with outflanking a mode of government based on the principle of *raison d'etat*. Although Foucault identifies it as a key concern for Continental thought, it was not much evident in eighteenth-century Scotland. Instead, Smith directed his work towards dismantling what he saw as the main institutional obstacles to his system of natural liberty, the circulation of wealth and the development of the nation. These were the structures of feudalism, the mercantilist economy, and what he called the "spirit of system." That is the tendency for legislators and planners to regard human society as a great "chess board" rather than a society of individuals pursuing their own interests.

> *In the great chess-board of human society, every single piece has a principle of motion of its own, altogether different from that which the legislature might chuse to impress upon it.* [3]

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[3] Adam Smith, ***The Theory of Moral Sentiments***, (ed) D. D. Raphael & A. L. Macfie (Oxford: Clarendon Press, 1976) pp. 233-234. Hereafter referred to as TMS. See Knud Haakonssen, ***The Science of a Legislator: The Natural Jurisprudence of David Hume and Adam Smith*** (Cambridge: Cambridge University Press, 1981) pp. 89-93 for a discussion of Smith's critique of excessive rationalism in politics.

In criticising excessive rationalism in politics, Smith demonstrates an appreciation of the limits of reason. He condemns the conceit of the "man of system" who is "often so enamoured with the supposed beauty of his ideal plan of government, that he cannot suffer the smallest deviation from any part of it."[4] While man has a natural desire to preserve the order of society, "the Author of nature has not entrusted it to his reason," wisely endowing man with sentiments, instincts and appetites which play a part in everyday human interaction to provide the means by which the larger end of life in society can be attained. In other words, it is through sentiments and instincts, rather than reason, that political order is preserved and social prosperity and well being enhanced. Moreover, from an epistemological point of view, Smith thought it impossible for the ruler to have the kind of knowledge that the individual citizen possessed. Consequently, he thought that the state should not intervene in the (economic) affairs of citizens: they should be left free to make use of their specialist knowledge and in this way a greater overall social benefit would ensue. Interestingly, as we have seen, a similar understanding of knowledge is echoed over two centuries later in the work of Hayek.

In general, therefore, we can say that Smith believed the public good was best promoted in the economic sphere through the principles of individuation and specialisation. It is to a consideration of these that we will now turn.

Harmony of the Whole through Specialisation and Individuation

Despite his criticisms of Bernard Mandeville,[5] Smith reiterated that "licentious" thinker's belief that personal interest, which Smith upgraded to

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[4] Smith, *TMS*, pp. 233-4.

[5] See *Ibid*, pp. 308-313 for his critique of Mandeville's "licentious" system.

an inferior virtue rather than a vice, was unwittingly the engine that drove the market place, and consequently society, towards prosperity and well being. Thus Smith thought that individual interest was the source of social order and national prosperity, both of which were brought about unintentionally through specialisation. Specialisation was not, said Smith, the result of human reason or design but brought about through natural coalescence. It is a self-generating process that can only occur under the favourable conditions of "the obvious and simple system of natural liberty."[6] By natural liberty Smith meant that man, who is by nature the best judge of his own interests, should be left unhindered in their pursuit and in this way he will achieve both his own best advantage and that of society. Consequently, the division of labour must be understood as a spontaneous realisation of a particular form of social cooperation that is neither induced or designed by government action.[7] Through it society is elevated to a high level of sophistication, and economic growth promoted by an increase in production and the development of human capacities.

Thus, the true source of wealth resides, for Smith, in human activity rather than natural forces, and in ***The Wealth of Nations*** he locates the primary source of national wealth in the labour of the individual worker as he carries out his usual activities for his own ends. This applies to workers in all of the three orders or classes that he identifies: landowners, wage earners and capitalists.[8] All have their contribution to make to the creation of national wealth and only the idle are singled out as being sterile and unproductive. Smith was generally supportive of the efforts of the labouring or working

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[6] Smith, ***An Inquiry into the Nature and Causes of the Wealth of Nations*** (London: Ward, Lock & Co., 1812) p. 545. Hereafter referred to as *WN*.

[7] See ***Ibid***, pp 19-26 for a discussion of the division of labour.

[8] ***Ibid***, p.213.

class and in his view the idle or indolent were quite likely to be part of the landowning order.[9]

> *They are the only one of the three orders whose revenue costs them neither labour nor care, but comes to them, as it were, of its own accord, and independent of any plan or project of their own. That indolence, which is the natural effect of the ease and security of their situation, renders them too often, not only ignorant, but incapable of that application of mind which is necessary in order to foresee and understand the consequences of any public regulation.*[10]

Smith surmises that if a nation is to prosper economically it must promote across the (chess)board the principle of specialisation, which has its source in the natural human propensity to "truck, barter and exchange one thing for another."[11] Smith thought the drive to trade was both unique and universal in humans, arising from a desire to serve self-interest in such a way as to engage the self-interest of others. While "...man has almost constant occasion for the help of his brethren...it is in vain for him to expect it from their benevolence only. He will be more likely to prevail if he can interest their self-love in his favour and show them that it is for their own advantage to do for him what he requires of them."[12] In other words, human beings rely on reciprocity rather than benevolence to get the business of the world done. They are driven to cooperate through relations of self-interest and exchange, backed up by the laws of contract and the legal notions of duties and obligations.

Thus, economic co-operation is not the result of planning or the commands of a sovereign, but that which flows naturally from the mutual dependence of individuals in society. It is through reciprocal exchange relations that a

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[9] For an interesting discussion of this aspect of Smith's work see Spencer J. Pack, ***Capitalism as a Moral System: Adam Smith's Critique of the Free Market Economy*** (Aldershot Eng & Vermont US: Edward Elgar Publishing Co., 1991) especially Ch. 8.

[10] Smith, *WN*, p.213.

[11] *Ibid*, p. 26.

[12] *Ibid*, p. 27.

market is created. Because the progressive division of labour, which is fundamental to economic growth, is limited by the extent of the market, it is necessary for the market to expand continually.[13] Consequently, Smith's overriding economic aims were to discover the laws of the market and demonstrate how a dynamic economy could generate a continual increase in wealth. In signalling this as his key objective, Smith was not concerned with the accumulation of possessions by the rich, but ensuring that the common person had the means to meet their necessities and live a decent life.

Thus, we can say that the infrastructure of Smith's system of flows and exchange is not due to deliberate planning. Instead it rests on the motive force of self-interest,[14] beginning with the relations of exchange which are initially entered into by individuals seeking to ease the toil and strife of life, and which result in capital accumulation that allows them to better their material conditions.[15] In other words, it is the desire for human beings continually to improve their material conditions in this world that is at the base of a nation's wealth and prosperity.

For Smith, therefore, human beings are driven to get the world's work done by intimate personal impulses which flow from two sources: a desire for each individual to better his own condition; and an inherent, natural love of order which translates into a desire to discover or establish order in the social, economic and political realms. Smith's hypothesis suggests that, contrary to Weber's thesis, the diffusion of "capitalist" forms is largely the result of natural impulses towards self-improvement, social order and

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[13] *Ibid*, p. 29.

[14] For an attempt to qualify Smith's notion of self-interest see Patricia H. Werhane, "The Role of Self-Interest in Adam Smith's Wealth of Nations," ***The Journal of Philosophy, 86(1989)***: 669-680.

[15] See Smith, *WN*, p. 277.

stability in this life, rather than a desperate search for individual salvation in the next.[16] As a corollary, anything which blocks or limits these natural proclivities towards industry, enterprise and order – the main culprits being excessive government intervention, business/trade monopolies and human ignorance – constitutes not just a violation of economic laws, but also a violation of the laws of nature and a virtual assault on the soul of man.[17] Thus Smith's argument for individual economic liberty and free markets is moral as well as technical and we must read ***The Wealth of Nations*** alongside ***The Theory of Moral Sentiments***. In other words, the moral dimension of Smith's thought serves effectively to modify the Smithian marketplace, such that minimally ethical prudent beings rather than rampant individualists populate it.

Indeed, the ideas of the market and mutual collaboration can be seen as reflections of Smith's faith in a spontaneous system of "natural order,"[18] which he seems to believe was created by Providence. Certainly references in ***The Theory of Moral Sentiments*** to "The Author of Nature;" the "Great judge of hearts;" "The Divine Being;" "The Deity;" and "The Great Judge of the World" attest to Smith's belief in some sort of benevolent deity as the author and guide of nature. Interestingly, such allusions are almost entirely absent in ***The Wealth of Nations,*** although faith in a spontaneous natural order led Smith to his famous utterance that it was in pursuing one's own advantages that each individual was led as if by an "invisible hand" to "promote an end which was no part of his intention."[19] According to Michael Shapiro's reading of this theme, Smith seems to imply that the deity had retreated

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[16] A. O. Hirschmann, ***The Passions and The Interests: Political Arguments for Capitalism before its Triumph*** (Princeton: Princeton University Press, 1977) p. 130 makes this point.
[17] Milton Myers, ***The Soul of Modern Economic Man: Ideas of Self-Interest – Thomas Hobbes to Adam Smith*** (Chicago & London: University of Chicago Press, 1983) p. 119.
[18] Smith, ***WN***, p. 545.
[19] ***Ibid***, p. 354.

from everyday human existence, leaving only his trace in the mechanisms which Smith, the optimist, believed to be a structural guarantee that the self and the order of the universe would remain attuned. In other words, says Shapiro, Smith's "Author" left behind, as nature, a regulative mechanism of "a socially felicitous tendency" in the form of individual human interest which, together with some inevitable tendencies in collective arrangements, eventually coalesced in an order that progressed towards general prosperity and broadly distributed welfare and contentment.[20] While this could be interpreted as reference to a Christian God,[21] it is equally likely that Smith's beliefs in the socialising effect of sympathy and the idea of the market as tending towards general benefit were influenced by Stoic philosophy. Especially pertinent was the Stoic idea of cosmic harmony (*sympatheia*); an idea that was central to both Smith's economic and ethical thought.[22] In using this concept the Stoics meant that the elements in a universe or system fitted together and worked in harmony. Certainly, Smith refers frequently to the Stoics and, indeed, he does say, "human society... appears like a great, an immense machine, whose regular and harmonious movements produce a thousand agreeable effects."[23] Moreover, the Stoic idea of harmony was accompanied by a prescription to live according to nature and was one of the

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[20] Michael Shapiro, ***Reading 'Adam Smith': Desire, History and Value*** (California: Sage Publications. 1993) p. xxxii & 103.

[21] On the role of religion in Smith's work see Jerry Evensky, "Adam Smith's Moral Philosophy: The Role of Religion and Its Relationship to Philosophy and Ethics in the Evolution of Society," ***History of Political Economy*** 30(1, 1998): 17-41, who argues that although Smith abandoned doctrinal interpretations of divine judgement, he retained a belief in its psychic utility and in the importance of faith.

[22] D. D. Raphael, ***Adam Smith*** (Oxford & New York: Oxford University Press, 1985) p.73.

[23] Smith, ***TMS***, p. 316. Importantly, eighteenth century thought was primarily influenced by the Roman Stoicism of Cicero, Seneca, Epictetus and Marcus Aurelius rather than that of the Greeks. The Stoic influence on Smith's thought is analysed by Raphael & Macfie in their introduction to the ***Theory of Moral Sentiments***. See especially pp. 5-10. Also on this topic see Jerry Z. Muller, ***Adam Smith In His Time and Ours: Designing the Decent Society*** (New York: The Free Press, 1993) Ch. 3; Vivienne Brown, ***Adam Smith's Discourse: Canonicity, commerce and conscience*** (London & New York: Routledge, 1994) Chs. 3 and 4; and Athol Fitzgibbons, ***Adam Smith's System of Liberty, Wealth, and Virtue: The Moral and Political Foundations of the Wealth of Nations*** (Oxford: Clarendon Press, 1995) Ch. 3.

sources of the natural law tradition that had an influence on Smith's theory of justice.

Justice: The Main Pillar of Society

Justice was a vital component of Smith's system. Like Hume, he saw justice as fundamental to the operations of society. Indeed, Hume's speculations about justice, which we have examined in the previous chapter, raised important questions for Smith. In seeking to answer them he was led to develop a whole new foundation for a system of natural jurisprudence, which combined a basically Humean theory of justice with elements of the natural law tradition,[24] that embodied a view of man as a bearer of rights.

Unlike Hume, Smith does not avoid all talk of rights · Nevertheless his theory of rights is an adaptation of Hume's theory of justice within the language of natural jurisprudence. In this way he extends the notion of rights beyond property to life and liberty, questions upon which Hume was silent. According to Smith, a person stakes a putative claim to life by virtue of existence. This claim is extended to one for liberty by virtue of behaviour and to property by the use of things. These implicit claims become explicit when denied or threatened and become actual rights when recognised by impartial spectators to such disputes.[25] Thus the duty to respect rights comes from the judgement of the impartial spectator. In short, says Haakonssen, we can see Smith's moral theory projecting a view of man as a bearer of rights and thus forming the basis for a natural jurisprudence, understood as a system of rights, and civil society as a structuring of rules

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[24] See Haakonssen, ***Natural law and moral philosophy: from Grotius to the Scottish Enlightenment*** (Cambridge; Melbourne: Cambridge University Press, 1996).

[25] Smith, ***Lectures on Jurisprudence***, Edited by R. L. Meek, D. D. Raphael & P.G. Stein (Oxford: Clarendon Press, 1978) p. 401.

and institutions protecting rights. [26] Indeed, despite accepting that justice was not formed from a natural sentiment, and must be embodied objectively within law, Smith argues that there is a psychological basis for justice in the "impartial spectator," which is formed within each person through a process of self-judgement. Together with his account of rights, the notion that justice is founded in men's natural moral judgement constitutes the most important difference between Smith and Hume.

According to Smith, jurisprudence should be understood as the theory of the general principles of law and government.

> *Jurisprudence is that science which inquires into the general principles which ought to be the foundation of the laws of all nations.*[27]

He identified the four principal objects of law as Justice, Police, Revenue and Arms. The most important of these was justice, whose object was to ensure security from a wide range of injuries. In this respect Justice is "the foundation of civil government."[28] It is "the main pillar that upholds the whole edifice" of society.[29] Smith thought that without justice the entire social fabric would disintegrate. Indeed, it is so important that liberty must be limited by its precepts.

> *Every man, as long as he does not violate the laws of justice, is left perfectly free to pursue his own interests his own way and to bring both his industry and capital into competition with those of any other man, or order of men.*[30]

Smith believed that justice was strengthened in commercial societies because they were distinguished by the rule of law that prevails within them. This

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[26]On this issue see Haakonssen, "Jurisprudence and Politics in Adam Smith," in Haakonssen (Ed), ***Traditions of Liberalism: Essays on John Locke, Adam Smith and John Stuart Mill*** (Australia: Centre for Independent Studies, 1988) pp. 111-112.

[27] Smith, ***Lectures on Jurisprudence,*** p.397.

[28] ***Ibid,*** pp.398-399.

[29] Smith, ***TMS,*** p. 86.

[30] Smith, ***WN,*** p. 545.

enabled them to provide the security to property and person that was not possible under pre-commercial conditions.

Smith's theory of natural jurisprudence flowed from two main sources: a theory of moral sentiments, based upon the principle of sympathy and an ethics of "self-command;" and an evolutionary understanding of society that sees it as a web of particulars within which we can discern broad and approximate patterns but which are subject to flux and uncertainty.[31] Thus, even though he rejected Hume's scepticism, Smith was inspired by his ***Treatise*** to use the experimental method of appealing to human experience, history and the idea of sympathy rather than reason. Accordingly, Smith saw the proper art of politics, or what he called the "science of legislation," as one which is able to strike a balance between the imperatives of justice, as derived from natural jurisprudence, and the demands of the moment, as understood by the history of society. Thus, says Knud Haakonssen, Smith's most important contribution to liberal thought is a coherent theory of the "politics of reasoned imperfection."[32]

Both Smith's theories of jurisprudence and political economy were grounded upon his theory of moral sentiments, to which we shall now turn.

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[31] Smith posits what is known as the four-stage theory, according to which society evolved through four main epochs: hunter-gatherer, pastoral, agricultural and commercial. He explains how law and government arose in the second stage – the age of shepherds. See Smith, ***Lectures on Jurisprudence*** pp. 26-35 & 149-150. In Smith's view law had its basis in practices, not ideas. Thus a history of law consists in examining types of social life rather than intellectual traditions. It was, he thought, in response to the needs of certain societies that law was developed. Thus jurisprudence should not deal just with "general principles of law and government" but with their history. In other words, law is integrated into the rest of mankind's activities and must be treated generally as a part of history.

[32] Haakonssen, "Jurisprudence and Politics in Adam Smith," p. 113.

The Role of the Moral Sentiments

Smith's theory of moral sentiments was based on the pillars of sympathy and the impartial spectator. As we have seen in previous chapters, moral philosophers had been preoccupied for over a century with locating appropriate techniques that would dampen down the violent passions. Smith was no exception. Yet, both his economic and moral systems depended upon the principle of sympathy as a means of facilitating social and economic cooperation. As a result he saw the need to enliven the imagination so that sympathetic exchanges functioned more readily. Indeed, this was behind his recommendations on education and the provision of public arts. In other words, for Smith the passions needed to be restrained, but not to the extent that imagination and intelligence were stifled or dulled. To this end he proposed two systems for regulating and controlling conduct: what I will call an ethics of "self-command" and an ethics of prudence. The reasons why he endorsed two ethical systems will become clearer as we proceed.

In developing his theory of moral sentiments, Smith drew heavily on ideas that had their genesis in the moral sense school of Shaftesbury, Butler, Hutcheson and Hume. While he continued their move away from psychological egoism, he joined Hume (and Mandeville) in refusing that school's essentially static view of man as one who came into the world a fully equipped moral being. Smith recognised that man was neither a moral automaton nor a ready made self-contained judge of moral actions, but became a moral being through the everyday processes of life. In this respect he was influenced by the insights of both Hutcheson and Hume, who thought the key to governing conduct was to locate appropriate principles

by which ordinary human aims could be pursued in a variety of social situations. At the same time he continued to adhere to the view that self-interest is the central motive of human nature.

While Smith's economics followed up the social effects of self-interested behaviour conditioned by the market, his ethics pointed to a social structure built upon the principle of sympathy and the desire for self-esteem or self-respect.

Sympathy, the Spectator and self-respect

For Smith sympathy was the cement of society and part of an ethics, which he thought capable of regulating conduct through the open, ordinary and regular occurrences of life.[33] Basically, it can be understood as the social or fellow feeling that ties man to humanity through natural bonds of immediate sense and feeling. It is the principle or affection by which men are able to use their imagination to identify disinterestedly with the feelings of others, thereby creating social bonds which are different to those formed through relations of mutual dependence and produced by the division of labour and the operation of the market.

> *As we have no immediate experience of what other men feel, we can form no idea of the manner in which they are affected, but by conceiving what we ourselves should feel in the like situation...it is by the imagination only that we can form any conception of what are his sensations.*[34]

Thus the principal purpose of ***The Theory of Moral Sentiments*** is to explain how man makes moral decisions through the common feeling of sympathy and the ethical construct of the "impartial spectator." By locating morality in what he believed to be the unmediated sentiments of sense and feeling,

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[33] For a useful discussion of Smith's views on sympathy see Eugene Heath, "The Commerce of Sympathy: Adam Smith on the Emergence of Morals," ***Journal of the History of Philosophy*** 33(3, 1995): 447-466.

[34] Smith, *TMS*, p. 9. He discusses the role of sympathy from pp.9-16.

Smith thought he had succeeded in discovering a purely empirical ethical system grounded solely in the passions.[35]

Consequently, the construct of the impartial spectator offers an important psychological account of the origin of conscience. Through habitual sympathetic exchanges, conducted over time, an impartial spectator – a "moral looking glass" or "substitute Deity"- is formed within the breast to become an inner reality, which is, says Smith, the very "essence of conscience."[36] It is this "judge within the breast" that enables human beings to view their own interests and those of others from the third person point of view and thus gain a proper perspective on their lives and problems. In T. D. Campbell's view the impartial spectator represents "the average, or normal or ordinary man."[37] One approves or disapproves of one's own behaviour by imagining oneself in the shoes of a spectator. From this position each man is able to measure and judge the rightness of his own actions and so regulate and control his own passions. This capacity to make judgements in particular cases allows human beings to frame general rules or principles that then become yardsticks, against which one's own conduct, and that of others, can be judged.[38] In other words, says Smith, the impartial spectator is a personal possession produced through sympathetic interaction with others from whom we get a supposedly "true" appraisal of our worth. In this way judgements of conscience can be seen as a reflection of society's judgements. Once it is developed, however, the impartial spectator, comes

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[35] J. A. Cropsey, "Adam Smith and Political Philosophy," in A. S. Skinner & T. Wilson (eds) ***Essays on Adam Smith*** (Oxford: Clarendon Press, 1975) p. 134.

[36] See ***TMS***, pp. 134-151 for Smith's discussion of the impartial spectator.

[37] T. D. Campbell, ***Adam Smith's Science of Morals*** (London: George Allen & Unwin, 1971) p. 134. See also David Marshall "Adam Smith and the Theatricality of Moral Sentiments," ***Critical Inquiry*** 10(1984): 592-613.

[38] Andrew S. Skinner, "Adam Smith: ethics and self-love," in Peter Jones & Andrew Skinner (eds) ***Adam Smith Reviewed*** (Edinburgh: Edinburgh University Press, 1992) pp. 157-8.

to embody a voice (of god) which is superior to that of popular opinion. Thus conscience cannot be seen as merely reflecting prevailing social attitudes.

> *The all-wise Author of Nature has... made man... the immediate judge of mankind; and has, in this respect, as in many others, created him after his own image, and appointed him his vicegerent upon earth to superintend the behaviour of his brethren.*[39]

Despite Smith's attempts to present conscience as a superior tribunal, it clearly has its origin largely in the authority of the social.[40] Thus the general rules and principles of society must be understood primarily as the products of the impartial spectator.

The desire for the sympathy of others is also a great motivator to action. Indeed, sympathy and approval are linked as if by a hinge,[41] for Smith was a great believer that the approval or disapproval of others for what one does is the mirror in which a man sees his own character reflected. In seeing human beings motivated as much by the desire for approval, or fear of disgrace as from the drive to self-preservation, Smith owes much to Bernard Mandeville and David Hume. Society provides the mirror by which conduct can be judged,[42] and in order to avoid self-deception or self-delusion, which is a "fatal weakness of mankind" and "the source of half the disorders of human life," we should, advises Smith, try to see "ourselves in the light in which others see us, or in which they would see us if they knew all." By undertaking such a course of action Smith was convinced that a "reformation" of character would "generally be unavoidable. We could not otherwise endure the sight." [43]

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[39] Smith, *TMS*, pp. 128-130.
[40] D. D. Raphael, "The Impartial Spectator," in Skinner & Wilson, ***Essays on Adam Smith***, p. 91.
[41] Heath, "The Commerce of Sympathy," p. 453. An observation conveyed to Smith by his friend Hume.
[42] Smith, *TMS*, p. 110.
[43] ***Ibid***, pp.158-9.

In other words, the judgement of one's own character can be unreliable. As Smith puts it: "the mysterious veil of self-delusion" prevents us from full self-knowledge by concealing the deformities of our conduct.[44] Consequently, human beings tend to depend on the social exchanges they have with others for their sense of self-worth. It is this desire for approval that motivates towards property accumulation because in Smith's view the spectator is more likely to sympathise with success and prosperity than with wretchedness.[45] Thus the need for self-respect acts to constrain selfish actions, forming the basis for the character of the prudent man, which, as we shall see, is the key figure in Smith's system. For the prudent man is the one best able to capture the sympathy of his fellows.

Two forms of ethics: Self-command and Prudence

Smith puts forward two forms of ethics. The first was an ideal ethics of "self-command," which had its origin in the Stoic ethics of Epictetus and which emphasised the principles of self-regulation and self-reliance. The second was an ethics of prudence or propriety, which operated at a lower ethical level, emphasising the intelligent care of one's own health, wealth and happiness.[46] Given its emphasis on the practical aspects of life, Smith thought an ethics of prudence would have a more extensive reach.

Self-command was the highest of virtues for Smith. In stressing the ability of the individual to command himself, through moral sentiments, and

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[44] Smith, *TMS*, p.158. See also Harvey Mitchell, "'The Mysterious Veil of Self Delusion' in Adam Smith's Theory of Moral Sentiments," *Eighteenth Century Studies* 20(1987): 405-421.

[45] Smith, *TMS*, pp. 57-60.

[46] See *Ibid*, pp. 212-217 for a discussion of prudence. For a discussion of the distinction that can be made in Smith's ethics see Norbert Waszek, "Two Concepts of Morality: A Distinction of Adam Smith's Ethics and its Stoic Origin," *Journal of the History of Ideas* (1984) pp. 591-606. While Waszek describes Smith's two concepts somewhat differently than I have, referring to the "virtue of the wise" and the "propriety of the multitude" rather than an ethic of self-command and an ethic of prudence, he sees them serving a similar purpose in Smith's system. The virtue of the wise was applicable only to an elite few, while propriety could be practiced by the common man and was thus sufficient for governing the conduct of the multitude.

embodying the higher motives of a sense of duty and regard for justice, he thought it capable of regulating human passions and promoting dignity.[47]

> *Self-command is not only itself a great virtue, but from it all the other virtues seem to derive their principal lustre.*[48]

Yet, he was realistic enough to recognise that there was a shortage of perfectly wise and virtuous individuals and that his ideal ethics aspired to a standard of conduct that the majority of people were unable to attain.[49] Fortunately, Smith understood the need for "recourse to solutions of a second best nature"[50] and he settled for the lower ethical standards of prudence and propriety, to which he thought the majority of the population would be able to commit. Thus, along with justice, prudence formed the linchpin of the ethical system Smith believed was the minimum required to govern conduct in a commercial society. Consequently, the importance of prudence in the character of commercial man cannot be underestimated.

On the whole Smith's ethics can be appreciated as being well designed for governing conduct in a commercial society, aspiring as they do to fair but self-interested behaviour.[51] In the first place they are very portable and self-contained. Action is driven by self-interest, which motivates the improvement of one's self and by extension society. Second, conduct is regulated and controlled either through self-command or more usually through prudence. Finally, they are backed up by rules of justice, which supply the minimum conditions for unhindered market transactions. Thus

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[47] ***Ibid***, p. 216. For full discussions of self-command see TMS, pp.145-156 & pp. 237-262. See also Henry C. Clark, "Conversation and Moderate Virtue in Adam Smith's *Theory of Moral Sentiments*," ***The Review of Politics*** 54(2,1992): 185-210 which tries to show how Smith thought conversation and moderate virtue offered everyday remedies to the psychological and intellectual dangers posed by the division of labour.

[48] Smith, ***TMS***, p. 241.

[49] See ***Ibid***, p. 189 where Smith says, "how few are capable of this self-command."

[50] Nathan Rosenberg, "Adam Smith and the stock of moral capital," ***History of Political Economy*** 22(1, 1990): 1.

[51] Smith, ***TMS***, pp. 81-83.

they ensure commercial security by serving merely to regulate self-interest, rather than minimising or dissipating it. They also offer protection against violations to life and property, and seek to exact the precise fulfilment of contractual obligations.

Some commentators have pointed to the apparent irreconcilability of Smith's remarks on the impartial spectator and the market so that the principles of self-interest and sympathy have appeared to be contradictory.[52] On the one hand, Smith appears to follow Mandeville in assuming that a society, which operates according to the (virtuous) principle of self-interest, will flourish and appears to condemn those who neglect their own interests. On the other hand, he seems to applaud the stance of the spectator because it elevates human beings above narrow self-preference and allows disinterested perceptions of their own concerns, thereby restraining self-interest and facilitating co-operative behaviour. Given the importance he accords the principles of sympathy and cooperation, Smith clearly cannot be classified as a radical individualist who advocated the unbridled pursuit of selfish passions. Neither was he a communitarian, for he strongly supported the principles of economic individualism and specialisation, seeing them as the keys to prosperity and well being. Instead, perhaps we can see him proffering a nuanced approach to government that sought to link the activities of individuals to those of the state with a minimum of domination. It is to this that we will now turn.

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[52] Indeed, this was a central problem for early German commentators on Smith, which gave rise to what became known as "the Adam Smith problem." The problem for them was to understand how the same author could have written two such entirely different books as *TMS* and *WN*. Some scholars concluded that Smith must have compartmentalised morals and economics so that his theories of self-interest and virtue were meant to apply in two different spheres. This has now largely been dismissed as a pseudo-problem based on ignorance and misunderstanding. On this see Raphael & Macfie's "Introduction" to *TMS*, pp. 20-25. See also Brown, *Adam Smith's Discourse*, Ch. 2 who attempts a textual reading of *The Wealth of Nations* and *Theory of Moral Sentiments* which aims to show that each work has its own "textual identity" that cannot be reduced to authorial coherence or consistency; and Fitzgibbons, *Adam Smith's System of Liberty, Wealth, and Virtue*, Ch. 1.

Smith's "Science of a Legislator"

While Smith generally abhorred the idea of state intervention in the economic affairs of citizens, he recognised that every system of government has certain duties to uphold. As we have seen, Smith placed little emphasis on the creative role of individual lawgivers and had little respect for the "very doubtful and ambiguous character" of the politician. Nevertheless, he supported the idea of the legislator who had, he thought, the capacity to be "the greatest and noblest of all characters" and in this respect could be contrasted to the man of system.[53] Consequently Smith advocated what he called the "science of the legislator" which referred to a set of general principles that ought at all times to govern the conduct of a law-giver and was concerned with the business side of the state, especially the material welfare of citizens.[54]

The special character of Smith's legislator is to convey a way of speaking about the abstraction of the state that allows for non-coercive forms of mutual interaction between the state and civil society, rather than rigid assumptions of autonomy and coercion.[55] Indeed, Smith's originality lay in his attempt to construct a role for the state that was not ostensibly based on domination. As we shall see, he thought the state had some positive functions to perform but instead of posing a state-centred world view where governmental duties are imposed from above, Smith depicts a relationship of reciprocal interaction between government and society such that the nexus between state and civil society is virtually interchangeable. This

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[53] Smith, *TMS*, p. 232.

[54] Smith used the word science to denote a systematic body of knowledge. See Campbell, *Smith's Science of Morals*, Ch. 1.

[55] See Smith, *TMS*, p. 341 where he briefly outlines the role of the legislator. For a more detailed account see Donald Winch, *Adam Smith's Politics: An Essay in Historiographic Revision* (Cambridge: Cambridge University Press, 1978) pp. 159-60 and pp. 170-4. Also see Haakonssen's *Science of a Legislator* for an in depth study.

portrait flows from his rejection of rationalist accounts of political obligation and the origins of government, which were replaced by a historicised view, which saw government and law evolving along with society.[56] The role of the legislator is therefore to steer a moderate course between the fluctuations of opinion and demands of the moment and the rigidity and fixity of institutions. In this respect, Smith's legislator is more of a facilitator than a molder and thus contrasts radically with Bentham's legislator.

A key component of the legislator's "science" was political economy, which Smith saw as a practical art with practical objectives dedicated generally to the enrichment of both the people and the sovereign.

> *Political œconomy, considered as a branch of the science of a statesman or legislator, proposes two distinct objects; first, to provide a plentiful revenue or subsistence for the people, or more properly to enable them to provide such a revenue or subsistence for themselves; and secondly, to supply the state or commonwealth with a revenue sufficient for the public services. It proposes to enrich both the people and the sovereign.*[57]

Thus Smith identified two principal objectives for political economy: to provide the conditions which allow the general populace to be self-supporting; and to raise revenue to support the cost of public services.

Recognising that there had been a diversity of recipes for attaining the material welfare of citizens, Smith gave consideration to two main systems: Commerce (Mercantilism) and Agriculture (Physiocracy).[58] He was more admiring of the Physiocrats than he was the Mercantilists.[59] Indeed, he

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[56] On this last point see Winch, "Adam Smith and the Liberal Tradition," in Haakonssen, ***Traditions of Liberalism***, p.92.

[57] Smith, ***WN***, pp. 332-3.

[58] See ***Ibid***, pp. 333-351 and pp. 524-546 respectively for Smith's critiques of Mercantilism and Physiocracy.

[59] See A. W. Coats "Adam Smith and the Mercantile System" in Skinner & Wilson (eds), ***Essays on Adam Smith***, pp. 218-236.

thought well enough of them to say that their system "...is, perhaps the nearest approximation to the truth that has yet been published upon the subject of political economy."[60] The basic error committed by the Physiocrats, according to Smith, was to privilege agriculture over manufacturing and trade, seeing only the former as productive. Ultimately their work was superseded by Smith who demonstrated that the essential spring of human life and social progress was an instinctive force, the "natural effort of every individual to better his own condition."[61] Thus political economy was shown to be based not on the interest of a particular class, be it agricultural or manufacturing, but on the general interest of the whole community. While Smith shared the Physiocrats' belief in the existence of a spontaneous economic order, for him it was the accumulation of numerous deeds performed unwittingly which are drawn together by instinctive and unconscious forces, rather than something that can be brought into being. The Physiocrats, on the other hand, regarded the natural order as a system that required a genius to discover it and an "enlightened despot" to manage it.

The three main duties of the state/sovereign countenanced by Smith lay in the fields of defence, the administration of justice and the provision of public works. The primary roles for the state should be, says Smith, to ensure the security of society from dangerous forces both within and outside the

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[60] Smith, *WN*, p. 538. On the distinctions between Smith and the Physiocrats see Charles Gide and Charles Rist, ***A history of economic doctrines from the time of the Physiocrats to the present day*** (London: G. Harrap, 1915) p. 22. Basically the Physiocrats saw the solution to wealth creation as ready to hand, requiring neither invention nor discovery, as it resided in the natural fundamental resources of agriculture and land. Given their adherence to a natural order they advocated a *laissez-faire* approach to government, seeking a reduction in legislative activity. Their recommendations for reform were very different to Smith's, however, because they advocated a minimum of legislation with a maximum of authority, favouring a form of enlightened despotism rather than forms of democratic self-government or the British parliamentary system, which they detested.

[61] Smith, *WN*, p. 277.

state.[62] This required the maintenance of a standing army to defend the state from external threats and, in terms of internal security, an exact administration of justice to offer protection for private property as well as countering any disruptive forces that arise from a collision of internal interests.[63] In addition, the State should make provision for certain public works which are necessary to facilitate production and exchange, and could not be expected to run at a profit, such as bridges, canals, harbours and roads.[64]

Defence was especially important, in Smith's view, because the level of wealth generated by an advanced economy was likely to attract external threats and also because the division of labour tends to undermine the possibility of a civilized nation possessing a "natural army." Thus it would need to resort either to a militia or a standing army, that is a voluntary professional army paid for by government. While many of Smith's contemporaries distrusted the idea of a standing army, seeing it as a threat to individual liberty, he thought that providing it was well regulated, was not "overgrown" and upheld the constitution, it served to defend rather than threaten liberty.[65] We can note his pragmatism in this regard, when he says:

> *It is only by means of a standing army, therefore, that the civilization of any country can be perpetuated, or even preserved for any considerable time.*[66]

Indeed, Smith thought that in order for soldiering to be brought to a level of perfection it should become the sole occupation of a particular class. Thus

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[62] See ***Ibid***, pp. 546-560 for discussion of defence needs.
[63] See ***Ibid***, pp.560-570 for a discussion of the duty to administer justice.
[64] ***Ibid***, pp. 570-78.
[65] ***Ibid***, pp. 558-9.
[66] ***Ibid***, p. 558.

"...the division of labour is as necessary for the improvement of this as of every other art."[67]

Constructing a System of "Natural Liberty"

In Smith's view the very nature of the state made it unfit to perform economic functions. For "no two characters seem more inconsistent than those of trader and sovereign."[68] Within the context of his system of "perfect liberty" it follows, therefore, that government should have no economic functions. Thus the sovereign was discharged from "...the duty of superintending the industry of private people, and of directing it towards the employments most suitable to the interest of society."[69] Instead, control should be left to the market. This is not the end of the story, however, for while government may be the "greatest spendthrift,"[70] Smith sees it as necessary for the State to perform a set of minimal but indispensable functions, mainly to lay the conditions of possibility for his system of "natural" or "perfect liberty." While he believed fervently in the benefits of individual enterprise, he recognised that the notion of perfect liberty was an ideal model unlikely to be replicated in the real world. Hence certain practical steps must be taken to facilitate its existence.

For Smith the "modern system" grounded on economic forces, where all goods and services commanded a price, constituted a fundamental break with the service/patronage relationships of feudalism. Consequently, he saw a particular role for the state in sweeping away outdated and outworn practices, positions of entrenched privilege and relations of dependence.

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[67] *Ibid*, p. 551. See also Forbes, "Sceptical Whiggism, Commerce and Liberty," in Skinner & Wilson, ***Essays on Adam Smith***, pp. 183-4 for a discussion of Smith's attitude towards standing armies.
[68] Smith, *WN*, p. 648.
[69] *Ibid*, p. 545.
[70] *Ibid*, p. 278.

Specifically, he saw the need to ensure that the necessary conditions for economic freedom were satisfied by the removal of certain legal and institutional impediments. In this respect, he relied on empirical historical evidence to show how certain practices, laws or institutions were harmful or anachronistic. The main blockages to the system of natural liberty, as Smith saw it, were barriers to free trade; the restriction of competition and the lack of labour mobility. These restricted the extent of the market and diminished the possibilities for the further division of labour and economic growth. With regard to the mobility of workers, Smith identified a number of practices that he thought unnecessarily restrictive and which went on to produce unnatural inequalities in the labour market. These included the retention of outmoded apprenticeship practices by corporations with exclusive privileges; the Statute of Apprenticeship which restricted people to one skilled trade;[71] and the English Poor Law which made it difficult for poor men, and women, to move from the parish of their birth.[72] He also pointed to the outmoded laws of heredity and entail and believed that in many instances there was a natural conservatism which obstructed the repeal of obsolete laws.[73] In this respect Smith did not see natural human tendencies as beneficial. Indeed, they were so problematic that they required the intervention of reforming legislation. In this sense, then, Smith's critique of anachronistic restrictive practices can be classified as anti-libertarian.[74]

It turns out, in fact, that Smith admits quite an extensive range of activities into the purview of state activity. Jacob Viner identifies a number of examples scattered throughout Smith's writings which he offers as evidence to support a view that Smith frequently departed from his system of natural

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[71] *Ibid*, pp. 108-111.
[72] *Ibid*, pp. 123-126.
[73] *Ibid*, pp. 304-6.
[74] Raphael, *Adam Smith*, p. 76 makes this point.

liberty, thereby conceding the possibility that government could effectively promote the general welfare through public works and institutions.[75]

Other exceptions to Smith's rule of non-intervention included the need for some protectionist measures on free trade in the interest of national defence;[76] the legal limitation of interest, state administration of the post office, government regulation of churches and state examinations as a condition of entry into liberal professions or any post of confidence. Perhaps the most interesting of these "exceptions" was the fact that he was prepared to justify compulsory education in order to remedy the evil, corrupting effects of the division of labour.[77] More precisely, said Smith, while the state should support rather than infringe natural liberty "...those exertions of the natural liberty of a few individuals, which might endanger the security of the whole society, are, and ought to be, restrained by the laws of all governments; of the most free as well as of the most despotical."[78]

The emphasis Smith placed on the notion of a spontaneous order has tended to fuel a view that Smith propounded a thesis about social harmony. Indeed his ideas of sympathy and the impartial spectator could be interpreted as sanctioning a politics of identity or sameness. While Smith clearly can be associated with views concerning the harmony of interests and the doctrine of the invisible hand, the idea of complete social harmony is one that requires qualification. It needs to be recognised, for instance, that for Smith differences were an important part of the ethical process. He thought that

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[75] Jacob Viner, ***The Long View and the Short: Studies in Economic Theory and Policy*** (Illinois: The Free Press, 1958) pp. 236-245. See also Andrew Skinner, ***Adam Smith & The Role of the State,*** (Glasgow: University of Glasgow Press, 1974) who also explores the range of exceptions Smith made to his general rule of non-intervention.

[76] Ironically, in later life Smith became a collector of custom duties on imports. See Muller, ***Adam Smith in His Time and Ours,*** p. 8.

[77] See Smith, ***WN,*** pp. 600-621 for a discussion of education.

[78] ***Ibid,*** p. 260.

differences between the sentiments of human beings were inevitable, arising from differences in the natural constitution of particular individuals and the process of imaginative sympathy. Nevertheless, Smith thought there was sufficient correspondence between sentiments to bring about the general "harmony of society." While there will "never be unisons," there "may be concords," which are all that is wanted or required.[79] On the whole, however, the Smithian individual can be seen less as a multiplicity or "bundleman," as in Hume, and more as a bifurcated self. In a sense this harks back to Cartesian dualism and draws on Rousseau to prefigure the Kantian duality of the noumenal and phenomenal selves. Thus it is a much less radical approach to the problem of self than Hume's.

The point I want to emphasise here, however, is that the examples outlined above, which show that Smith frequently waived his rule against intervention, serve to qualify the social harmony thesis that he is widely believed to hold. They also present some problems for liberalism and it is to this issue that we will now turn.

Regulating for "Natural Liberty:" Some Implications for Liberalism

Certainly, Smith's broadly optimistic outlook and the liberal stress on the non-intervention by the state in economic affairs point towards a belief in economic liberty. Yet, we can see that the task of preparing the ground for "natural liberty" was so difficult that he was prepared to sanction intervention where the market mechanism broke down and advocate the imposition of control on individuals, even limiting their freedom in certain cases if need be.

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[79] Smith, *TMS*, p. 22.

The most obvious example is his proposal to extract revenue in the form of taxation to support the services of defence, justice and public works, an act that clearly infringes individual liberty. More interestingly, however, is the fact that Smith signals the need to control those activities, which, if unregulated, could endanger the system itself.[80] In this context he was particularly concerned about the social and psychological side effects of economic progress, such as the isolation, alienation and mental deterioration that could be the unintended consequences of the division of labour. He was worried that the division of labour would promote stupidity, boredom and mental degradation.[81] So while Smith was confident that the productive powers of labour would be enhanced through the division of labour and general prosperity improved, he feared the vast mass of mankind were likely to find themselves in situations where they were unable to enjoy the benefits of their new found prosperity and independence.

> *The man whose whole life is spent in performing a few simple operations...has no occasion to exert his understanding... He naturally loses, therefore, the habit of such exertion, and generally becomes as stupid and ignorant as it is possible for a human creature to become. The torpor of his mind renders him, not only incapable of relishing or bearing a part in any rational conversation, but of conceiving any generous, noble, or tender sentiment, and consequently of forming any just judgment concerning many even of the ordinary duties of private life.*[82]

Because the inner mechanism of the impartial spectator, which is vital to Smith's ethical system, is largely a reflection of social norms, he feared it might break down if large swathes of humanity suffered the unintended

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[80] Skinner, Adam ***Smith &The Role of the State***, p. 22.

[81] Concerns about the potentially degrading effects of the division of labour were fairly widely expressed by Scottish thinkers. See for instance John Millar, ***An Historical View of the English Government, from the Settlement of the Saxons in Britain, to the Revolution of 1688***, in 4 Vols. 4th Ed. (London: J. Mawman, 1818), Vol. IV, Essay IV, pp. 138-161; Henry Home, Lord Kames, ***Sketches of the History of Man (1788)***, in 4 Vols., 2nd Ed. (Hildesheim: Georg Olms Verlagsbuchhandlung, 1968) Vol. 1, Sketch 5, pp. 314-498; and Adam Ferguson, ***An Essay on the History of Civil Society (1767)***, Ed. Duncan Forbes (Edinburgh: Edinburgh University Press, 1968) pp. 180-184.

[82] Smith, *WN*, p. 616.

consequences of mental mutilation and became grossly stupid. Indeed, he was prompted by his concern for the social and psychological costs of economic growth, to waive his general rule against intervention, recommending that government provide universal basic education.[83] Moreover, he believed it should be *imposed* on the lower orders and paid for by taxpayers. He was convinced that this exception to his rule of non-intervention was justified because it would stimulate creativity and invention, alleviate ignorance and promote political awareness and knowledge. He thought education would improve the martial spirit and contribute to civil obedience, thereby engendering order and decency in the population. Consequently the state could expect to reap many benefits by educating the inferior ranks, not least of which was the potential eradication of the disruptive influences of superstition and enthusiasm. This was an important consideration for Smith because like many eighteenth-century thinkers he was fearful of political fanaticism and was keen to protect government from its dangers. He thought the ignorant were far more susceptible to exaggerated enthusiasm for change and that through education this unpalatable trait could be minimised, if not completely eradicated.[84] Ultimately, Smith felt this would be of benefit to the whole society.

While he was hopeful that the natural social tendencies of most people would lead individuals to gravitate towards small social and religious groups, which he saw as providing a context of significance that could compensate for the mundane character of their working lives, he was cognisant that they too possessed their own dangers of enthusiasm,

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[83] It should be noted, however, that it was only the middling ranks of society who could look forward to the prospect of a well-rounded liberal education. The poor were to be taught only elementary geometry and basic reading and writing.

[84] Smith, *TMS*, pp.231-233.

superstition, zealotry, sectarianism, and general gloom.[85] Potential remedies against this were education and the promotion of the arts and sciences. Indeed, Smith even goes so far as to recommend cheerful public diversions, such as exhibitions and public performances, which he thought, had the potential to counter the unsociable tendencies of religious sects by exposing them to public ridicule.[86]

Of course, some may question whether a "free" government should be involved in directing education towards the making of good citizens – an endeavour which could have the potential to degenerate into encouraging submissive behaviour or conformity. Indeed, Smith's recommendations can be seen as coercive and interventionist so that it may appear ironic that the defender of "natural liberty" and government restraint also advocated a high degree of government intervention in order to alleviate otherwise intolerable disorder. The coercive implications are compounded by the fact that those who are to fund the education system will derive no obvious direct benefit, although they could expect certain indirect benefits to flow on. Compulsory education could, therefore, be seen as a project more consistent with a civic humanist perspective. Moreover, as Andrew Skinner remarks, once it is admitted that the State has a right to intervene in the field of education to offset the social costs of economic growth then a broad field of possible interpretations is opened up, making it difficult to delineate activities in which the state should or should not be involved.[87]

This then brings us briefly to the debate about whether Smith should be understood as a purely liberal thinker or whether he fits more appropriately

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[85] *Ibid*, pp. 628-9.
[86] *Ibid*, p. 629
[87] Skinner, ***Adam Smith and The Role of the State*** pp. 21-2.

into the tradition of civic humanism. There are those such as Donald Winch and John Pocock[88] for whom Smith is a thinker with strong affiliations to the civic humanist tradition for which good government was about inculcating "civic virtue" in citizens. Nevertheless, his endorsement of the system of "natural liberty" and his critique of previous systems of economic policy that aimed to artificially encourage agriculture or commerce attest to the fact that the broad doctrine of Smith's economic policy was liberal.[89] Yet, it must be remembered that Smith restricted "perfect freedom" to the pursuit of economic interests, which are in turn restricted by the laws of justice. With the exception of his insistence on economic liberty, Winch thinks, therefore, that Smith was much closer to the civic humanist position on governing conduct, which held that the good state shapes individuals to be minimally virtuous citizens, than he was to the liberal position which stressed self-government. In short, says Winch, Smith's politics recognised a dimension of political life and (civic) action that could not be reduced to or reproduced by models of political and economic behaviour based solely upon assumptions about the rational pursuit of self-interest.[90] He qualifies this in the context of Smith's broader political vision, suggesting Smith's politics is more readily seen as one of constitutional control designed to curb the

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[88] See Donald Winch, ***Adam Smith's Politics***, especially Ch. 5; and J. Pocock, ***The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*** (Princeton: Princeton University Press, 1975). Along with Caroline Robbins, ***The Eighteenth Century Commonwealthman: Studies in the Transmission, Development and Circumstance of English Thought from the Restoration of Charles II until the War with the Thirteen Colonies*** (Cambridge MA: Harvard University Press, 1959), Pocock reveals the strength of classical republican or civic humanism within eighteenth century Anglo-American political culture. For similar view points see Richard F. Teichgraeber, ***'Free Trade' and Moral Philosophy: Rethinking the Sources of Adam Smith's Wealth of Nations*** (Durham: Duke University Press, 1986); John Dwyer, "Virtue and improvement: the civic world of Adam Smith," in Jones & Skinner (eds) ***Adam Smith Reviewed***, pp.190-216; and Nicolas Phillipson, "Adam Smith as civic moralist," in I. Hont and M. Ignatieff (eds) ***Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment*** (Cambridge: Cambridge University Press, 1983) pp. 179-202.

[89] This is the view put forward by William Letwin, "Was Adam Smith a Liberal?" in Haakonssen, ***Traditions of Liberalism***, pp. 65-6.

[90] Winch, ***Adam Smith's Politics***, p. 84.

activities of individuals and groups that ran counter to the public interest, rather than a simple civic humanist politics of virtue and corruption. While many would see this as consistently liberal, the affinities are with Hume, Montesquieu and Madison rather than Locke and the seventeenth century jurists.[91] In many respects, however, both Hume and Smith were antipathetic to the civic humanist tradition, differing from contemporaries like Ferguson who exhibited greater tendencies towards Machiavellian principles.[92]

The Status of Liberty in Smith's Thought

What then is the status of liberty in Smith's thought? William Letwin suggests we can understand Smith as having two theories of liberty - natural liberty and liberty under law - which were never properly reconciled. This, he says, explains why Smith remained ambivalent about the extent to which liberty could or should be invoked against the precepts of justice enshrined in procedural law.[93]

Clearly Smith's economic policy recommendations exhibit strong liberal features. Yet, as we have seen, there are a number of examples that contravene a view of Smith as a straightforward liberal. Indeed, Smith seems frequently to regard the state as having a rightful role to play as an agent of moral reform and discouraging inappropriate conduct through various prohibitions.[94] So although Smith advocates a system of natural liberty in trade and enterprise, it must be recognised that he does not necessarily extend this fully to other areas of social life. For Smith liberty is

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[91] *Ibid*, p. 85.
[92] *Ibid*, p. 88.
[93] Letwin, "Was Adam Smith a Liberal?" pp.76-79.
[94] *Ibid*, p.76.

Lockean rather than Rousseauean so that he was concerned primarily with assuring the independence of individuals from the capricious will of others, protecting liberty and security through law. This was best assured, he thought, through the "happy" mixture of the British constitution under which the King, nobles and commoners restrained each other. It was this system which afforded "perfect security to liberty and property" through the regular and impartial administration of justice.[95] Other securities to liberty included fixed life terms for judges, the impeachment of ministers, the Habeas Corpus Act, the popular election of MPs, and impartial juries, all of which Smith thought made it impossible for absolutism to prevail.[96] Also making a contribution in this regard were commerce and manufacturing, which he thought were instrumental in shaping character and in helping to gradually introduce order, good government and the liberty and security of individuals.[97]

It was largely because he thought these institutions had reduced both political and economic dependency that Smith considered explicit policing unnecessary. Indeed, in comparing the relative ratio of police regulation to crime levels in Paris and London, Smith noted that the excessive regulations in Paris were accompanied by a high level of crime not evident in the less regulated city of London. He concludes that this was due to the high level of dependence among the common people in Paris, a condition largely erased in Britain because of the prevalence of commerce and manufacturing which had brought independence and self-reliance, which Smith considered the "best police for preventing crimes."[98]

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[95] Smith, ***Lectures on Jurisprudence***, p. 422.
[96] ***Ibid***
[97] Smith, ***WN***, p. 323.
[98] Smith, ***Lectures on Justice, Police, Revenue and Arms***, E. Cannan (ed) (New York: Kelley & Millman, 1956) pp. 154-156.

Nevertheless, Smith clearly recognised that when left to itself, economic order did not always result in harmonious equilibrium and was frequently marked by sometimes-serious conflicts between private and public interests. Indeed, he feared the damage that sectional interests and factions were capable of inflicting on society, the implication being that he recognised the potential for various interests to conflict. In this context we must bear in mind how the balance of "power relations" and sectional interests within society had been altered from the late seventeenth century onwards. Smith thought that the introduction of manufacturing and trade had contributed to this reconfiguration by generating new forms of wealth that helped enhance the position of the commons at the expense of the landed aristocracy and thus to establishing the basis for English liberties.[99] Nevertheless, he was ambivalent about the role the common class should play in the political process. He thought the commons, particularly merchants and manufacturers, was more likely to be the focus of pressure groups who sought to pursue special or partial interests which may not be in the public interest. Hence any legislative proposals emanating from this class were to be treated with great caution.[100] In other words, Smith was fearful of sectional interests, and the implied possibility of clashing class interests.[101] This suggests there is a sphere where government intervention might promote rather than retard the general welfare and he undermines his argument for "natural liberty" by providing numerous examples of cases where natural order, left to its own devices, worked against rather than for general welfare. Clearly, therefore, he was far less certain about applying the system of "natural liberty" at the level of moral and social life.

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[99] Smith, *WN*, p. 323.
[100] *Ibid*, p. 250. See also Skinner, *Adam Smith and The Role of the State*, p. 19.
[101] Smith, *TMS*, p. 230.

Still Smith was generally optimistic about the potential for his system of "natural liberty" to improve the welfare of the bulk of mankind, whom he thought was basically in a position to be happy.

> *What can be added to the happiness of the man who is in health, who is out of debt, and has a clear conscience?...This situation, however, may very well be called the natural and ordinary state of mankind....The greater part of men, therefore, cannot find any great difficulty in elevating themselves to all the joy which any accession to this situation can well excite in their companion.*[102]

Indeed, he thought that with the eradication of outdated practices, institutions and ways of life people would experience greater self-reliance and less dependency. Yet the concern he frequently expressed about the potential impact of the "commercial spirit" on "manners" and the general quality of life, especially of the lower classes, serves to qualify Smith's optimism. While the division of labour is seen as the major source of economic growth and beneficial to the development of civilisation and individual capacities, Smith simultaneously attacked it for being responsible for the moral, physical and intellectual degeneracy of workers.[103] Specifically, he expressed concern about the potentially disastrous consequences of the division of labour which, if left unchecked, "contracted" men's minds rendering them "incapable of elevation;" the tendency to neglect education and the almost utter extinguishment of the "heroic" or martial spirit.[104] It is in this context that he advocates state intervention through the provision of education.

Consequently, civilisation was not an unqualified good for Smith. He recognised that it comes at a price and, was, in fact, quite pessimistic about the extent of the potentially stultifying and mentally mutilating side effects of

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[102] *Ibid*, p. 45.

[103] In Book 1 of *The Wealth of Nations* he clearly suggests it serves to improve physical and mental capacities. By the time he gets to Book V, however, he condemns it. See pp. 616-621.

[104] Smith, *Lectures on Justice, Police, Revenue & Arms*, pp. 255-259.

commercial life. As a result he advocated widespread elementary education, the provision of public arts and the promotion of multiple voluntary civil and moral associations and societies in order to create a complex network of sympathetic relationships which, he hoped, would go some way to countering the dangerous effects of commercialisation.[105] In this sense, Smith confers on the state a vital cultural purpose more akin to traditions of positive freedom, rather than a purely negative and protective function.[106] As such it offers a qualification of the conventional portrait of Smith as a simple optimist.

There is, therefore, ambivalence at the heart of Smith's system. On the one hand, civilisation properly understood inculcates habits and sympathies conducive to the modification of "natural" freedom. On the other hand, the very character of the commercialised market process reduces some to a condition of mental torpor that negates the possibility of natural freedom. Therefore, Smith proposed a curiously calibrated state machinery that sought to inculcate habits of freedom in order to bring about and maintain his system of natural liberty. Problematically this paradox of modern liberal freedom is never fully resolved.

Conclusion

In general terms, Smith's construction of political economy and morals was mobilising in its effects, evoking recognition that human activity is behind

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[105] See Nicholas Phillipson, "Adam Smith as civic moralist," pp. 198-202 who outlines the proliferation of such voluntary societies and associations in eighteenth century city life.

[106] See Skinner, *Adam Smith & The Role of the State*, p. 17 who suggests that Smith's concern to alleviate the mental mutilation of the labourer pre-empts T. H. Green's distinction between negative and positive freedom, whereby Green defined positive freedom as "power or capacity of doing or enjoying something worth doing or enjoying," which could, he thought, require government intervention. T. H. Green "Lecture on Liberal Legislation and Freedom of Contract," in *Works of Thomas Hill Green*, in 3 Vols. Ed. R. L. Nettleship (London & New York: Longmans, Green, & Co., 1888) Vol. III, pp. 365-386.

normative codes of regulation as well as social and economic exchanges and accumulations. Through his multiple challenges to prevailing moral, political, social, economic and juridical systems, Smith facilitated the emergence of new flows, forces and relationships within the social domain. Specifically, he focused on the eradication of outdated practices and institutions that he viewed as impediments to the flow of capital, competition, relations of exchange and the mobility of labour. To this end, he shifted the static legalistic protection and control-oriented model, turning wealth from a negative static thing to be hoarded and protected - under the prevailing mercantilist system that was linked to "the spirit of system" - into a positive and productive economic process. In the economic realm, he linked the prosperity of the nation to the productive forces of each individual. And, in the sphere of morality and social conduct, he continued the move, begun in the seventeenth century, to shift the locus of morals from a transcendent spiritual realm to the domain of common life, advocating self-regulation through sympathetic exchanges, the exercise of imagination and the judgement of conscience. These facilitated the development of an ethical system, based on self-command and prudence, backed up by the principles of justice, which he thought, would ensure fair behaviour in a commercial society.

Through these innovations society was to be transformed into a domain of largely self-regulating, dynamic human interactions that involved relations of exchange at both the economic and moral levels. Although it must be remembered that Smith recognised this needed to be tempered by specifically targeted state activity. As Nathan Rosenberg puts it, there are certain forces, mostly economic, which enlarge the "stock of moral capital,"

and there are those, particularly associated with the division of labour and damage to family life, which deplete it.[107]

Smith stressed a form of government compatible with the notion that a general well being emerges from facilitating the productive capacities of the "individual." Thus he saw governance having its primary locus in society and especially in its productive, largely private, venues, with the centre of authority acting more as a steering or guiding mechanism (through appropriate laws) than a repository of direct power.[108] Within this model, government was not concerned so much with explicitly maintaining the realm as a whole but more with encouraging the natural energies, forces, flows and relations within the social to maintain themselves. In this way he thought the wealth, prosperity and good government of nations was best assured.

While a Smithian art of government is grounded in practices of individual liberty, it is not animated by a search for methods of institutionally liberating the inner drives of every man in the interest of the moral will, but by a search for methods of institutionally liberating every man's natural instinct to better their own condition in the interest of external, politically intelligible freedom and prosperity for mankind as a whole. As Jerry Muller puts it, Smith was concerned with "the institutional direction of the passions" through social institutions, which draw the passions towards socially, economically and morally beneficial behaviour.[109] The "system of natural liberty" is one unhindered or unobstructed by the misplaced interventions of human reason and political freedom is the liberty of men under lawful

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[107] Rosenberg, "Adam Smith and the stock of moral capital," pp. 1-17.
[108] Shapiro, ***Reading Adam Smith,*** pp. 11-12.
[109] Muller, ***Adam Smith in His Time & Ours,*** p. 6.

government. Smith conceived men as free while both in the thrall of nature and subject to forms of law which guaranteed external freedom but can scarcely aim to be the basis of internal emancipation from that same nature. As we have seen, Hayek emphasises this view of freedom.

In conclusion, it can be said that what Foucault called the "freedom-regulation" problematic is perhaps most visible in the work of Adam Smith. The new "art of government" of all and each, to which Smith contributed a great deal, and which promises to bring prosperity and well being for the whole through liberty of the individual, is concerned with determining an equilibrium between what is free, what has to be free and what has to be regulated. It should now be clear that although the problem was obvious enough for Smith in the economic sphere - very little should be regulated - he appeared much less certain with regard to other aspects of life. This to the extent that he advocated in some instances a significant degree of intervention. The paradox that is discernible within Smith's thought remains a general problem for liberalism: just how far should the State be involved in governing the conduct of individuals?

Ultimately, then, Smith the paradigmatic figure for the emergence of a neo-liberal tradition of freedom, leaves us with a set of problems regarding natural liberty, civilisation (or culture) and the state. How we might wonder can contemporary liberal thought attempt to negotiate these paradoxes or discrepancies in the liberal project?

CONCLUSION

CONCLUSION

This dissertation contends that Foucault's work on governmentality, while limited by its Kantian emphasis, offers important insights into the paradox of regulated freedom inherent within the liberal tradition. He demonstrates that liberalism possesses dual characteristics, functioning simultaneously as a regulative scheme of governmental practices and as a radical critique of the effects of government. In other words, liberalism is concerned with the practice of government and determining why there needs to be government, what needs to be governed and what should be left alone. On the one hand, it promotes the liberty of individual enterprise and, on the other, the need for regulation to protect and, where necessary, bring about the appropriate conditions in which liberty can flourish. For the conditions of liberty are not "natural." Indeed, they require an enormous amount of effort and a substantial role for the state to bring them about.

The vital ingredients in the development of a liberal art of government were the spirit of individual enterprise and the institutions of the market and rule of law. The market was seen as the most impartial way to pursue economic development and progress and the rule of law was crucial in providing the predictability and certainty that could not be found in the arbitrary rule of rationally planned or authoritarian government. In this context government can be understood as an activity which is concerned with the direction of human conduct using the institutions of the market and the rule of law. It aims

particularly to achieve social cohesion and order, compatible with liberty of action, without excessive government interference. However, one of Foucault's objectives in studying liberalism has been to show that the birth of the liberties was accompanied by disciplinary and normalising practices. Thus attempts to liberalise have been intimately linked to regulative programs that have as their object the governing of human conduct in order to produce a certain character fit to inhabit a liberal landscape.

The problem with Foucault's analysis of liberalism is that it has been over-determined by its Kantian bias, a perspective that has coloured his genealogy of the modern Western individual. This dissertation offers a "correction" to Foucault's genealogy. Instead of emphasising Kantian liberalism, which is based on the notion of an unencumbered self and results in a deontological rights-based politics, it has focused on the Humean self as a being moved and thus governed by passions and interests. The tradition of, largely British, thought attached to this version of the liberal self has been neglected in recent political theory, which has been curiously preoccupied with various debates between neo-Kantians, such as Rawls and Dworkin, on the one hand, and Communitarians, such as Taylor, Habermas, Sandel and Walzer, on the other. This neglect appears strange when we realise that it is by considering the story of the Humean self that we can gain greater insight into contemporary formulations of government and self that predominate in the neo-liberal societies in which we in the West reside.

Thus, along with Nietzsche and William Connolly, Foucault's critique of liberalism has been restricted to the Kantian variant with its universalist and rationalist presumptions. Interestingly, as we have seen in this dissertation, a number of key eighteenth-century thinkers undertook a comparable project, offering penetrating critiques of sixteenth and seventeenth-century rationalists such as Descartes and the Cambridge Platonists. Importantly, early in his career, Gilles Deleuze recognised the significance of British empiricism in undermining the Cartesian project. Deleuze was especially attracted by Hume's striking idea that the mind is like a theatre that stages new movements and perceptions. By emphasising Hume's notion that identity is comprised of a "collection of impressions and images" and that ideas are connected in and not by the mind, Deleuze was able to use Hume's empiricism to escape the dominant traditions of Continental philosophy, which depended upon some sort of pre-existent, baseline consciousness.[1]

The eighteenth-century British empiricist thinkers are significant because they demonstrate that ultimately political order is brought about through the passions and interests. The human passions were perceived to be both dangerous and productive and the central problem for these thinkers was how to govern the passions in an increasingly commercial environment where the moral motives stimulated by religion were in decline and faith in reason had been undermined.

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[1] See Deleuze, *Empiricism and Subjectivity: An Essay on Hume's Theory of Human Nature*, trans. Constantin V. Boundas (New York: Columbia University Press, 1991) p.87 also John Marks, *Gilles Deleuze: Vitalism and Multiplicity* (London: Pluto Press, 1998) p.52-55 for commentary on this point.

In other words, the great transformation announced by the advent of commercial society was accompanied by a new set of problems about how to govern conduct. As a result it became necessary to find creative ways of harnessing the energy of the potentially violent and unruly passions and using it to bring about prosperity, civilisation and social order.

It was in the context of this set of problems that thinkers like Cumberland, Shaftesbury, Mandeville, Butler, Hutcheson, Hume and Smith put forward a range of "solutions" to both the problem of governing conduct and facilitating creative or productive freedom. From Shaftesbury onwards there was a growing awareness that the key to this problem was for individuals to be encouraged to control their own behaviour as much as possible, and various regimes for self-government were put forward. These included natural benevolence, conscience, the moral sentiments, the gravity principle, strategies for balancing the passions and the principle of specialisation. Perhaps the most important insight of these thinkers was to show that the calm passion of interest is the key to governing the passions and that reason serves the lesser role as the handmaiden to the passions. Moreover, they demonstrated that abstract moral systems were ineffective in governing conduct and that what was required were practical techniques, which yielded tangible benefits. Thus the originality of the various schools of British thought that applied themselves to the array of problems associated with governing conduct in a post-Hobbesian world, lay in their stress on the "plain man," his common sense, and the means by which individuals could contribute to their own governance. This shift in focus away from abstract and juridical systems of government towards technical

approaches is of central importance in the development of a liberal art of government.

Specifically, Cumberland and Shaftesbury stressed an art of government based on a harmony between self-interest and benevolence. Against the English Platonists, they emphasised the role of human feeling or sentiments, rather than reason, in developing rules for governing conduct. Along with Addison, Steele and Defoe, Shaftesbury promoted the concept of a political culture of politeness and association (civil society) and he emphasised the importance of the inner mechanism of self-control in governing conduct. Butler extended Shaftesbury's ideas but introduced the notions of conscience and "cool self-love" as internal regulators of conduct. Nevertheless, he recognised that such techniques were not strong enough to manage intractable cases where the passions were ungovernable, and to this extent he realised the need for external regulatory controls.

Critical of Shaftesbury's aristocratic approach to self-regulation, Hutcheson drew instead on the principles of Newtonian physics to argue the natural balance between selfish and benevolent passions. In so doing he appealed to common sense and the ordinary experiences of the plain man which he thought offered examples of non-egoistic motivation. With Hutcheson, therefore, there is an awareness that the governing of conduct should be practical rather than abstract and extended to the general population rather than restricted to an elite few. This emphasis on the ordinary affairs of life was to have a profound influence on Adam Smith.

Those who advocated the principle of specialisation as a way of linking private interest and the principle of an adequate material welfare for all also promoted a practical view of the self. In fact, the gradual movement towards civilisation encouraged the division of labour, which it was thought would lead to greater perfection of production and consequently greater prosperity. Economics, in other words, took shape as a response to key questions concerning the government of conduct.

Bernard Mandeville stressed the notion of a spontaneously evolving social order and the contingent character of social processes. At the same time, he posited the need for disciplined government by institutions and laws. These themes permeate the thought of Hume, Smith and, ultimately, Hayek and render explicit the dilemmas posed through the freedom-regulation paradox. Through his anti-rationalist psychology of human nature, which emphasised pride, self-esteem and honour, Mandeville offered a powerful critique of virtue politics and put forward the paradoxical claim that private vices yield public benefits. Subsequently, the Scottish Enlightenment thinkers transformed this doctrine from a "vice" to a "virtue." Indeed, it became central to liberal theories of political economy.

Following Mandeville, David Hume used scientific principles to render moral theory secular and to reform moral practices by rejecting harmful, religious-based, ascetic practices, or what he called "monkish" virtues, and he rehabilitated pride as a virtue rather than a vice. Rejecting religion, he looked instead towards naturalistic and historical explanations of human behaviour,

demonstrating how systems of government are contingent mechanisms for palliating the incurable weaknesses of men. Adam Smith pursued this line of thought with more moderate objectives in mind. He sought to encourage people to trust in their "natural" moral sentiments rather than appealing to outmoded moral schemes, which were, he felt, no longer appropriate modes of governing conduct in a modern commercial society. Drawing on Mandeville and Hume's historical evolutionary analyses, Smith developed the notion of a spontaneous economic and social order that results from the unintended consequences of human action. Nevertheless, Smith's optimism about the possibility of sweeping away the demeaning relations of feudal dependency and of bringing wealth and prosperity to all was tempered by his ambivalence about the potentially dangerous side-effects provoked by his system of "natural" liberty. Indeed, Smith ultimately concedes a vital role for the state in countering these unwanted and unintended consequences. Thus, the whole notion of the natural became problematic in terms of the nature of freedom. Was freedom itself natural or the product of government intervention? Worryingly it seems to be both.

As we delve deeper into the work of these key eighteenth-century thinkers, it becomes increasingly clear that they realise the ability to regulate one's own conduct is limited to a few exceptional individuals. The project of self-regulation requires effort and high ethical standards, which most people simply do not possess, as the great majority of human beings find it difficult, if not impossible, to regulate their own conduct. The reality is that most men have difficulty in curing themselves of their natural propensities towards selfishness

and inertia. In Hume's view, men must, therefore, endeavour to "palliate" what they cannot cure. Hence the need for an apparatus of government and palliative measures which have as their objectives the maintenance of order at the level of the self and society and fostering the prosperity and civilisation of the nation.

From this we can note the underlying elitism in many of the prescriptions put forward for governing conduct. While there is an emphasis on self-discipline, it is clear many thinkers cannot trust in this as an effective governing technique and, time after time, we encounter their mistrust and subsequent remedies, which generally involve overt disciplinary techniques for keeping the human passions under control and, as an essential part of this process, a strong role for the state. More precisely, governments deploy the calm passion of interest in creative ways to govern the potentially disruptive passions.

Mandeville, Hume and Smith demonstrate that the project of civilisation and subduing the human passions constituted a vast undertaking requiring intensive labour on the self. This is also recognised by Friedrich Hayek who takes up the story of neo-liberalism in the twentieth century giving expression to many of the ideas of Mandeville, Hume and Smith, most notably the notion of a spontaneous social order. Hayek also draws on the important idea that not only is there a division of labour, but also a division of knowledge, such that human beings are incapable of knowing all the concrete facts which make up the complexity of any given context, environment or social order. A corollary of this idea is that the human mind must be understood as a product of its social environment rather than something that exists as a fully developed entity with

the capacity to design and develop institutions. Because each individual member of society can only possess a tiny fraction of the knowledge possessed by all, each is consequently ignorant of most of the knowledge upon which the successful working of that society rests. This fragmentation makes history, evolution, habit, education and custom important in establishing a "natural" framework for behaviour. Especially important are the institutions of the market and common law, which have evolved spontaneously over many generations. The artifices of institutions and traditions are necessary to enable the drives of human nature to be channelled in benign and useful directions and they determine the "natural" conditions of freedom.

Consequently, freedom should not be understood as that which liberates internal drives, but a capacity produced by the institutions of government and law. These institutions are neither the arbitrary constructions of individuals nor the fruits of a rational design. They are instead the products of experience and evolution. In other words, many of the institutions of society, which have become indispensable supports for the pursuit of human ambitions, are in fact the contingent result of customs, habits or practices which were never deliberately invented with any particular purpose in view. This is true of freedom as well. Consequently, social structures formed by traditional human practices are neither "natural" in the sense of being genetically determined or artificial in the sense of being deliberately designed. Thus, liberal freedom is not about releasing repressed inner drives or achieving internal emancipation from human nature. In fact, as Hayek explicitly states, empiricist liberalism sought to

avoid this outcome by striving to tame and civilise the destructive forces unleashed by the human passions.

> *Man has not developed in freedom.... Freedom is an artefact of civilization that released man from the trammels of the small group, the momentary moods of which even the leader had to obey. Freedom was made possible by the gradual evolution of the discipline of civilization which is at the same time the discipline of freedom...We owe our freedom to restraints of freedom.*[2]

Analogously, Nietzsche has also drawn our attention to the immense amount of labour required to produce the disciplined liberal subject.[3] It is in this context that we can, perhaps, comprehend the horrified reactions of thinkers like Hayek, Popper and Berlin to the "highly dangerous," attempts that have since been made to release these drives, thereby threatening to undo the "culturally acquired repressions" upon which civilisation is based. Marx's desire to restore the fully human personality and Freud's strategy to unleash the "suppressed primordial instincts" are prominent examples.[4]

These thinkers show us that there is much to admire in the results of human endeavour. They demonstrate that human achievements are not the result of innate reason or nature, but are the product of time, human ingenuity and effort. Indeed, civilisation has been a vast project in developing ways in which human beings can subdue their fears, appetites and passions sufficiently to live together in something like harmony. The difficulty of socialisation reflects the

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[2] F. A. Hayek, *Law, Legislation and Liberty*: Vol. 3, *The Political Order of a Free People* (Chicago: Chicago University Press, 1979) p. 163.

[3] Friedrich Nietzsche, *On the Genealogy of Morality*, Ed. Keith Ansell-Pearson, Trans. C. Diethe (Cambridge: Cambridge University Press, 1994) pp. 39-40.

[4] Hayek, *The Political Order of a Free People*, p. 174. He suggests that in writing *Civilisation and its Discontents* Freud had in fact recognised the dangerously destructive effects of his teaching.

dilemmas encountered in controlling human drives and regulating the passions. In short, the art of governing conduct is neither innate nor easily inculcated. It is the work of time, chance and skill. And these techniques are themselves the product of time, experience and use.

In summary, the British thinkers from Mandeville to Hayek have rendered explicit the "freedom-regulation" paradox. On the one hand, they argue the need for a wide sphere of economic and social liberty. On the other hand, they ultimately recognise that the conditions for liberty are unnatural and that they require government to instantiate them through general rules and laws that apply to all. Thus, ironically, there is an ever-present need for a strong state to ensure that the conditions for freedom, the crowning achievement of civilisation, survive.

Paradoxically, therefore, the liberal practice of freedom is neither inherently emancipatory nor "liberating." Indeed, Foucault demonstrates that in many respects people have to be controlled more precisely, under a liberal art of government, in the name of both freedom and efficiency.[5] What is required is a certain type of character, one that is capable of pursuing its own interests; of regulating its own conduct as much as possible, and able constantly to remake itself as circumstances dictate.[6] When the first pole of the liberal art of

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[5] Foucault, 'Problematics'. in Lotringer (ed) *Foucault Live*; 1996, pp.416-422.

[6] This latter requirement threatens to undo the vast civilising project that we have charted in this dissertation as it destabilises the order within self and society that is the product of time, experience and human effort.

government – freedom – fails to deliver the desired results, the second pole of regulation comes into play in the form of overt disciplinary techniques.

Indeed, Mandeville, Hume and Smith seem to recognise that liberal regimes of government have potentially dangerous side effects and that these require normalising techniques for governing conduct, such as compulsory education and the cultivation of a certain political culture. In other words, the modes or technologies for governing or regulating conduct, which were part of a liberal art of government that Bernard Mandeville, David Hume and Adam Smith did so much to reveal, had mixed and sometimes "dangerous" social effects about which thinkers such as Smith and Ferguson remained ambivalent. While these thinkers seem to have recognised that the "liberal individual" is not produced without a significant cost, they generally appear to have considered the price worth paying. After Nietzsche and Foucault, however, can we be so sure?

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